



New Zealand House of Representatives
Te Whare Māngai o Aotearoa

Environment Committee
Komiti Whiriwhiri Take Taiao

54th Parliament
September 2026

Conservation Amendment Bill

309—1

Interim report

Presented to the House of Representatives
by Catherine Wedd, Chairperson

Conservation Amendment Bill

Recommendation

The Environment Committee is examining the Conservation Amendment Bill, and recommends that the House take note of this interim report.

Change of Government position

The Conservation Amendment Bill was referred to us on 12 May 2026. The Minister of Conservation, Hon Tama Potaka, wrote to us in June 2026 to:

- indicate that the Government had changed its position on the bill’s provisions which relate to land exchange and disposals, and ask us to consider deleting these from the bill as part of our re-drafting process
- request that we facilitate broad conversation about clause 6 of the bill (which would amend the purpose of the Conservation Act) and provide specific, detailed feedback to Parliament about this in our commentary
- ask that we extend our submission period.

We publicly shared the Minister’s letter, and extended our submission period by 10 days so submitters could comment on the changes to the bill’s provisions regarding land exchange and disposals. Further, we committed to working with legal drafters to delete the land exchange and disposal provisions in the bill.

Redrafted bill without land exchange and disposal provisions

We instructed the Parliamentary Counsel Office to redraft the Conservation Amendment Bill to remove all provisions that would have changed how land exchange and disposal works in the existing Conservation Act 1987. Other changes may be proposed at the conclusion of our consideration.

A redrafted version of the bill, showing the relevant provisions removed, is attached to the bottom of this report. We are releasing it as a “consultation draft” to support ongoing discussion of the bill. Once we have concluded our consideration, we will make a final report to the House with a formal recommendation proposing amendments to the bill. At that point, a revised version of the bill showing the proposed amendments will be published on the New Zealand Legislation website.

Next steps in our consideration

We have started hearing oral submissions on the bill, but do not expect to conclude this process during this term of Parliament. The Environment Committee of the 55th Parliament is likely to hold further hearings and consider what other improvements could be made to the bill. We hope that this consultation draft is useful to the next committee and the public.

Appendix

Committee procedure

The Conservation Amendment Bill was referred to us on 12 May 2026. We have decided to make an interim report to update the House and the public on our progress so far.

Committee members

Catherine Wedd (Chairperson)
Hon Rachel Brooking
Julie-Anne Genter (until 29 July 2026)
Ryan Hamilton
Cameron Luxton
David MacLeod
Grant McCallum
Lan Pham
Hon Priyanca Radhakrishnan
Celica Wade-Brown (from 29 July 2026)

DRAFT FOR CONSULTATION

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Government Bill

Hon Tama Potaka

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	Schedule 4	237
	New Schedule 1AA inserted into National Parks Act 1980	

Schedule 5	239
New Schedule 1AA inserted into Reserves Act 1977	
Schedule 6	240
Consequential and minor amendments	

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Conservation Amendment Act **2026**.

2 Commencement

This Act comes into force on the day after Royal assent.

Part 1
Amendments to Conservation Act 1987

3 Principal Act

This Part amends the Conservation Act 1987.

Subpart 1—Amendments to Part 1

4 Section 2 amended (Interpretation)

New definitions

- (1) In section 2(1), insert in their appropriate alphabetical order:

access, in relation to an access levy,—

- (a) means to enter, use, or be in an area by any means; and
- (b) includes—
 - (i) using a path or track in the area; and
 - (ii) using a road on land held or managed by the Department

access levy means a levy prescribed by regulations made for the purpose of **section 48D**

activity fee means a rent, fee, or royalty payable in accordance with **section 14ZP**

area plan means—

- (a) an area plan made under **section 13H**; and
- (b) any visitor amenities area chapter deemed to be part of that plan by operation of **section 16F**

Department website means an internet site maintained by, or on behalf of, the Department

disability assist dog has the meaning given in section 2 of the Dog Control Act 1996

exempt activity means an activity classified by the NCPS as exempt, in accordance with **section 13E**

~~**incoming land**, in relation to a land exchange, means land that, once exchanged, will be vested in the Crown~~

international visitor means a person who is not—

- (a) a New Zealand citizen; or
- (b) ordinarily resident in New Zealand

iwi authority means the authority that represents an iwi and that is recognised by that iwi as having authority to do so

National Conservation Policy Statement or **NCPS** means the national conservation policy statement made under **section 13D**

natural character area means an area managed under section 23A

ordinarily resident in New Zealand has the meaning given in **subsection (2A)**

~~**outgoing land**, in relation to a land exchange, means land that, once exchanged, will no longer be vested in the Crown~~

pre-approved activity means an activity classified by the NCPS as pre-approved, in accordance with **section 13E**

pre-approved concession means a concession granted under **section 14Z1** for a pre-approved activity

prescribed concession means a concession prescribed in regulations made for the purposes of **section 48E**

~~**right of offer or return** means a right specified under legislation or an agreement for a former owner or any other person to have land returned or offered to the person (on terms or conditions or otherwise) on the occurrence of an event or circumstance~~

Treaty settlement means—

- (a) a Treaty settlement Act; or
- (b) a Treaty settlement deed

Treaty settlement Act means—

- (a) an Act listed in Schedule 3 of the Treaty of Waitangi Act 1975;
- (b) any other Act that provides redress for Treaty of Waitangi claims, including Acts that provide collective redress or participation arrangements for claimant groups whose claims are, or are to be, settled by another Act, including—
 - (i) the Maori Commercial Aquaculture Claims Settlement Act 2004;

- (ii) the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
- (iii) the Nga Wai o Maniapoto (Waipa River) Act 2012;
- (iv) the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010;
- (v) the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and secondary legislation that gives effect to section 10 of that Act and is made under Part 9 of the Fisheries Act 1996

Treaty settlement deed—

- (a) means a deed or other agreement that—
 - (i) has been signed by or on behalf of a Minister of the Crown and representatives of a group of Māori; and
 - (ii) is in settlement of the claims of that group or in express anticipation, or on account, of that settlement; and
- (b) to avoid doubt, includes a deed or other agreement of the kind described in **paragraph (a)** that relates to the claims of a collective or combination of Māori groups; but
- (c) does not include an agreement in principle or any document that is preliminary to a signed and ratified deed

visitor amenities area or **VAA** means an area of land set apart under ~~section 16~~ **section 15ZC** as a visitor amenities area

Replacement definitions

- (2) In section 2(1), replace the definition of **activity** with:

activity includes—

- (a) the construction, maintenance, use, or occupation of any facility or structure associated with the activity; and
- (b) a trade, business, or occupation; and
- (c) the passive use of a conservation area for gain or reward

- (3) In section 2(1), replace the definition of **concession** with:

concession means a lease, licence, permit, or easement granted under **Part 3B** for an activity

Repealed definitions

- (4) In section 2(1), repeal the definitions of **amend**, **companion dog**, **concessionaire**, **conservation management plan**, **conservation management strategy**, **guide dog**, **review**, and **Treaty settlement legislation**.
- (5) After section 2(2), insert:
- (2A) In this Act, a person is **ordinarily resident in New Zealand** if—

- (a) the person holds a residence class, student, or work visa granted under the Immigration Act 2009; and
- (b) the person's home is in New Zealand; and
- (c) the person has lived in New Zealand for at least 6 months of the previous year.

5 New section 4A inserted (Section 4 requirements in relation to land management processes)

After section 4, insert:

4A Section 4 requirements in relation to land management processes

National Conservation Policy Statement

- (1) To provide certainty as to the steps, processes, and other activities that section 4 requires the Crown to undertake before making the National Conservation Policy Statement,—

NCPS: standard process

- (a) **clause 3 of Schedule 2** requires the Director-General to—
 - (i) invite written comments from iwi authorities as part of advance consultation on the draft of a new NCPS or an amendment to the NCPS that is prepared using the standard process; and
 - (ii) give those authorities at least 40 working days to comment; and
 - (iii) consider any comments received from those authorities:
- (b) **clause 4 of Schedule 2** requires the Director-General to, after carrying out the advance consultation and making any revision to the draft,—
 - (i) invite written comments from iwi authorities as part of general consultation on the draft; and
 - (ii) give those authorities at least 40 working days to comment:
- (c) **clause 5 of Schedule 2** requires the Director-General to, after carrying out the general consultation, prepare an impact analysis report on the draft that includes an assessment of the potential impact of the new NCPS or the amendments on the rights and interests of Māori:
- (d) **clause 6 of Schedule 2** requires the Director-General to, after preparing a summary of comments from the general consultation, the impact analysis report, and any revision of the draft,—
 - (i) invite written comments from iwi authorities as part of final consultation on the draft; and
 - (ii) give those authorities at least 40 working days to comment:
- (e) **clause 7 of Schedule 2** requires—
 - (i) the Director-General to provide the Minister with—

- (A) the summary of comments from the general consultation, which would include a summary of comments from iwi authorities; and
- (B) the impact analysis report; and
- (C) the written comments (if any) given in the final consultation, which would include comments from iwi authorities; and
- (ii) the Minister to consider that information in making the Minister's decision on the new or amended NCPS:

NCPS: short process

- (f) **clause 10 of Schedule 2** requires the Director-General to—
 - (i) invite written comments from relevant iwi authorities as part of general consultation on the draft of an amended NCPS that is prepared using the short process; and
 - (ii) give those authorities at least 20 working days to comment:
- (g) **clause 11 of Schedule 2** requires the Director-General to, after carrying out the general consultation, prepare an impact analysis report on the draft that includes an assessment of the potential impact of the amendments on the rights and interests of Māori:
- (h) **clause 12 of Schedule 2** requires the Director-General to, after preparing a summary of comments from the general consultation, the impact analysis report, and any revision of the draft,—
 - (i) invite written comments from relevant iwi authorities as part of final consultation on the draft; and
 - (ii) give those authorities at least 20 working days to comment:
- (i) **clause 13 of Schedule 2** requires—
 - (i) the Director-General to provide the Minister with—
 - (A) the summary of comments from the general consultation, which would include a summary of comments from relevant iwi authorities; and
 - (B) the impact analysis report; and
 - (C) the written comments (if any) given in the final consultation, which would include comments from relevant iwi authorities; and
 - (ii) the Minister to consider that information in making the Minister's decision on the amended NCPS.

Area plans

- (2) To provide certainty as to the steps, processes, and other activities that section 4 requires the Crown to undertake before making an area plan,—

Area plans: standard process

- (a) **clause 5 of Schedule 3** requires the Director-General to carry out initial consultation with relevant iwi authorities about their aspirations for the content of an area plan before preparing a draft of the plan or an amendment to it using the standard process:
- (b) **clause 7 of Schedule 3** requires the Director-General to, after preparing the draft, invite written comments from relevant iwi authorities as part of advance consultation on the draft:
- (c) **clause 8 of Schedule 3** requires the Director-General to, after carrying out the advance consultation and making any revision to the draft,—
 - (i) invite written comments from relevant iwi authorities as part of general consultation on the draft; and
 - (ii) give those authorities at least 40 working days to comment:
- (d) **clause 9 of Schedule 3** requires the Director-General to, after carrying out the general consultation, prepare an impact analysis report on the draft that includes an assessment of the potential impact of the new area plan or the amendments on the rights and interests of Māori:
- (e) **clause 10 of Schedule 3** requires the Director-General to, after preparing a summary of comments from the general consultation, the impact analysis report, and any revision to the draft,—
 - (i) invite written comments from relevant iwi authorities as part of final consultation on the draft; and
 - (ii) give those authorities at least 40 working days to comment:
- (f) **clause 11 of Schedule 3** requires—
 - (i) the Director-General to provide the Minister with—
 - (A) the summary of comments from the general consultation, which would include a summary of comments from relevant iwi authorities; and
 - (B) the impact analysis report; and
 - (C) the written comments (if any) given in the final consultation, which would include comments from relevant iwi authorities; and
 - (ii) the Minister to consider that information in making the Minister's decision on the new or amended area plan:

Area plans: short process

- (g) **clause 12 of Schedule 3** applies the requirements described in **paragraphs (a) to (f)** of this subsection if the short process is used to prepare an amendment to an area plan, except that the clause requires relevant iwi authorities to be given at least 20 working days (instead of 40

working days) to provide the comments referred to in **paragraphs (c) and (e)**.

Concessions

- (3) To provide certainty as to the steps, processes, and other activities that section 4 requires the Crown to undertake before deciding whether to grant a concession,—
- (a) **section 14T** requires that, if the Minister invites written comments on an application for a concession from Māori groups with relevant interests, the Minister must give those groups at least 20 working days to comment:
 - (b) **section 14ZG** provides that section 4 does not require the Minister to initiate an allocation process for the purpose of granting concessions for an activity.

Land exchanges

- ~~(4) To provide certainty as to the steps, processes, and other activities that section 4 requires the Crown to undertake before deciding whether to authorise a land exchange,—~~
- ~~(a) **section 15B** requires the Director-General to—~~
 - ~~(i) invite written comments on a land exchange proposal from Māori groups with relevant interests; and~~
 - ~~(ii) give those groups at least 30 working days to comment; and~~
 - ~~(iii) prepare a report on the proposal for the Minister that includes an analysis of the impact of the exchange on the rights and interests of Māori, including whether the outgoing land is likely to be subject to future Treaty settlement negotiations; and~~
 - ~~(iv) provide the report to the Minister together with any comments received in response to the invitation referred to in **subparagraph (i)**, which would include any comments from Māori groups with relevant interests:~~
 - ~~(b) **section 15C** requires the Minister to, in considering a land exchange proposal for which the Director-General has provided a report and comments, consider—~~
 - ~~(i) the report and comments; and~~
 - ~~(ii) the impact of the exchange on the rights and interests of Māori; and~~
 - ~~(iii) whether the outgoing land is likely to be subject to future Treaty settlement negotiations.~~

Disposals of land

- (5) ~~To provide certainty as to the steps, processes, and other activities that section 4 requires the Crown to undertake before deciding whether to dispose of land,—~~
- (a) ~~section 15L~~ requires the Director-General to—
 - (i) ~~invite written comments on a disposal proposal from Māori groups with relevant interests; and~~
 - (ii) ~~give those groups at least 30 working days to comment;~~
 - (b) ~~section 15N~~ requires the Director-General to—
 - (i) ~~prepare a report on a disposal proposal that includes an analysis of the potential impact of the disposal on the rights and interests of Māori, including whether the land to be disposed of is likely to be subject to future Treaty settlement negotiations; and~~
 - (ii) ~~provide the report to the Minister together with any comments from Māori groups with relevant interests;~~
 - (c) ~~section 15O~~ requires the Minister to, in considering the disposal proposal, consider—
 - (i) ~~the report and comments referred to in paragraph (b)(ii); and~~
 - (ii) ~~the impact of the disposal on the rights and interests of Māori; and~~
 - (iii) ~~whether the land is likely to be subject to future Treaty settlement negotiations.~~

Visitor amenities areas

- (6) To provide certainty as to the steps, processes, and other activities that section 4 requires the Crown to undertake before setting apart an area of land as a visitor amenities area,—
- (a) **section 16C** requires the Director-General to—
 - (i) invite written comments on drafts of a VAA boundary document, VAA report, and VAA chapter (the **draft documents**) from relevant iwi authorities; and
 - (ii) give those authorities at least 40 working days to comment; and
 - (iii) provide the finalised draft documents to the Minister together with any comments received from those authorities;
 - (b) **section 16E** requires the Minister to, in making their decision on a proposed visitor amenities area, consider—
 - (i) the finalised draft documents and comments referred to in **paragraph (a)(iii)**; and
 - (ii) the potential impact of the proposal on the rights and interests of Māori.

Subpart 2—Amendment to Part 2

6 Section 6 amended (Functions of Department)

Replace section 6(e) with:

- (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:
- (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:

Subpart 3—Amendments to Part 2A

7 Section 6B amended (Functions of Authority)

Replace section 6B(1)(a) to (c) with:

- (a) to provide comments on the draft National Conservation Policy Statement and draft area plans:
- (b) to review and report to the Minister or the Director-General on the effectiveness of the Department's administration of the NCPS:

8 New section 6KA inserted (Protection of member of Authority from liability)

After section 6K, insert:

6KA Protection of member of Authority from liability

A member of the Authority is not subject to any civil or criminal liability for doing any act in good faith in the course of exercising or performing the Authority's functions, duties, and powers under this Act.

9 Section 6M amended (Functions of Boards)

Replace section 6M(1)(a) to (c) with:

- (a) to provide comments on the draft National Conservation Policy Statement and draft area plans:
- (b) to advise the Conservation Authority and the Director-General on the implementation of—
 - (i) the NCPS within the Board's area; and
 - (ii) relevant area plans:

10 New section 6WA inserted (Protection of members of Boards from liability)

After section 6W, insert:

6WA Protection of members of Boards from liability

A member of a Board is not subject to any civil or criminal liability for doing any act in good faith in the course of exercising or performing the Board's functions, duties, and powers under this Act.

Subpart 4—Amendments to Part 3**11 Sections 7 and 8 replaced**

Replace sections 7 and 8 with:

7 Land may be acquired and held for conservation purposes

- (1) Land declared under this section to be held for conservation purposes must be held for those purposes subject to this Act.
- (2) The Minister may, by notice in the *Gazette* describing the land, declare that any of the following is held for conservation purposes:
 - (a) land to which section 61 applies:
 - (b) land that is foreshore within the common marine and coastal area.
- (3) The Minister and the Minister responsible for a department that has control of any land may jointly, by notice in the *Gazette*, declare that the land is held for conservation purposes.
- (4) The Minister may, by agreement, acquire any interest in land for conservation purposes and, subject to this Act, it must be held for those purposes.
- (5) **Subsections (3) and (4)** do not apply to land that is Crown forest land within the meaning given in section 2(1) of the Crown Forests Assets Act 1989.
- (6) For the purposes of **subsection (3)**, the Minister of Forestry is deemed to be the Minister responsible for the department that controls State forest land that is not Crown forest land.

8 Conservation area may become reserve, national park, etc

- (1) Nothing in this Act prevents a conservation area becoming a reserve, sanctuary, refuge, or national park under any other Act administered by the Department and, if this happens, the conservation area ceases to be a conservation area without complying with ~~subparts 2 and 3 of Part 3G~~ [section 16 or 26](#).
- (2) The Minister may, by notice in the *Gazette*, declare a conservation area to be—
 - (a) a reserve under the Reserves Act 1977 and to have a classification under that Act; or
 - (b) included in any existing reserve under that Act.
- (3) A declaration has effect as a reservation under that Act for the purposes specified in the notice.

- (4) If a notice given under **subsection (2)** is revoked, the land to which the notice relates reverts to being a conservation area with the same status as it had immediately before the date on which that notice came into effect.
- (5) A conservation area may become a nature reserve or a scientific reserve, or be included in an existing nature reserve or scientific reserve, under the Reserves Act 1977 only in accordance with **subsection (6)**.
- (6) The Governor-General may, by Order in Council made on the recommendation of the Minister, declare a conservation area to be—
 - (a) a nature reserve or a scientific reserve under the Reserves Act 1977; or
 - (b) included in an existing nature reserve or scientific reserve under that Act.
- (7) Before making a recommendation under **subsection (6)**, the Minister must—
 - (a) refer the proposed name to the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa under section 27(2) of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008; and
 - (b) give public notice specifying the name and classification proposed and consider, in accordance with section 120 of the Reserves Act 1977, all objections and submissions in relation to the proposal.
- (8) If an order made under **subsection (6)** is revoked, the land to which the order relates reverts to being a conservation area with the same status as it had immediately before the commencement of that order.
- (9) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

12 Section 13 amended and renumbered as section 9 (Conservation areas may be closed)

- (1) In section 13(1)(a),—
 - (a) replace “conservation management strategy or conservation management plan” with “area plan”; and
 - (b) delete “strategy or”.
- (2) Replace section 13(1)(b) with:
 - (b) to the extent only that the conservation of any natural resource or historic resource of a conservation area for which there is no area plan requires the closure of the area to public entry, close the area to public entry; and
- (3) Renumber section 13 as **section 9**.

13 New sections 10 to 12 inserted

After **section 9** (as renumbered by **section 12** of this Act), insert:

10 Access and use of conservation areas

- (1) The public may access and use a conservation area free of charge, except as provided under this section, **section 11, Part 3B**, and section 38(1).

Paths and tracks

- (2) The Minister may impose a charge for a person's use of paths and tracks in a conservation area only if the person is—
- (a) an international visitor (in which case they may be charged in accordance with **section 11**); or
 - (b) a concession holder (in which case they may be charged in accordance with **Part 3B**).

Facilities provided by Minister or concession holder

- (3) The Minister may impose a reasonable charge for the use of facilities that are provided by the Minister in or in respect of any conservation area.
- (4) A concession holder may, to the extent their concession allows, impose a reasonable charge for the use of any facilities—
- (a) in or in relation to the part of the conservation area to which their concession applies; and
 - (b) that are provided by them or the Minister.

Other exceptions

- (5) **Subsection (6)** applies to a person who, in accordance with a concession or other consent of the Minister or Director-General,—
- (a) has erected a structure or facility in a conservation area; or
 - (b) uses any part of a conservation area for a camping site or parking area; or
 - (c) carries on an activity in a conservation area.
- (6) The person may impose a reasonable charge for access to or use of the structure, facility, place, or the carrying on of the activity, subject to—
- (a) the NCPS and any relevant area plan applicable to the conservation area; and
 - (b) the terms and conditions of their concession or other consent.

11 International visitor must pay levy

- (1) An international visitor must pay an access levy before accessing an area for which a levy has been prescribed in accordance with **section 48D**.
- (2) A person who fails to comply with **subsection (1)** commits an offence and is liable on conviction to a fine not exceeding \$5,000.

12 Restriction on aircraft in conservation areas

- (1) An aircraft must not land or take off from any site within a conservation area that is not a certified aerodrome.
- (2) **Subsection (1)** applies unless—
 - (a) a concession has been granted to do so and the operator of the aircraft complies with **subsection (3)**; or
 - (b) there is an emergency arising from—
 - (i) mechanical, structural, or operational defects in the aircraft or its equipment; or
 - (ii) weather conditions or other causes not under the control of the pilot-in-command; or
 - (c) doing so is necessary to establish, construct, operate, maintain, repair, or replace a maritime navigational aid; or
 - (d) the aircraft is operated by the New Zealand Defence Force or the Civil Aviation Authority of New Zealand.
- (3) The operator of an aircraft must have a copy of the concession document and the pilot-in-command of the aircraft must sight it before the aircraft lands or takes off.
- (4) Nothing in this section implies any responsibility or liability of the Minister for the safety of an aircraft or a person aboard an aircraft while the aircraft is in the air or landing.
- (5) For the purposes of this section,—

land, in relation to an aircraft, includes hovering and setting down or taking on goods or people from the aircraft

pilot-in-command has the meaning given in section 5 of the Civil Aviation Act 2023.

14 ~~Sections 16 to 17~~ Section 17 repealed (Access to conservation areas)

Repeal ~~sections 16 to~~ [section 17](#).

Subpart 5—Amendments to Part 3A

15 New sections 13A to 13I inserted

After the Part 3A heading, insert:

*General provisions***13A Obligation to act in accordance with NCPS and planning documents**

- (1) The Department, the Minister, the New Zealand Fish and Game Council, and Fish and Game Councils must, when performing or exercising their functions, duties, or powers, act in accordance with—

- (a) the National Conservation Policy Statement; and
 - (b) area plans; and
 - (c) freshwater fisheries management plans.
- (2) **Subsection (1)** applies to functions, duties, or powers under the following Acts:
- (a) this Act;
 - (b) the Marine Mammals Protection Act 1978;
 - (c) the Marine Reserves Act 1971;
 - (d) the National Parks Act 1980;
 - (e) the Reserves Act 1977;
 - (f) the Wild Animal Control Act 1977;
 - (g) the Wildlife Act 1953.

13B Management of sports fish and game

Fish and Game Councils must manage sports fish and game in accordance with sports fish and game management plans.

13C NCPS and area plans do not affect agreements with land owners

- (1) Nothing in the NCPS or an area plan affects any agreement or arrangement under this Act or any other Act entered into between a land owner and—
- (a) the Director-General; or
 - (b) the Minister.
- (2) **Subsection (1)** does not apply to any agreement or arrangement where the Crown is the land owner.

National Conservation Policy Statement

13D National Conservation Policy Statement

- (1) The Minister may make a National Conservation Policy Statement.
- (2) The purpose of the NCPS is to—
- (a) set policy relating to the Acts listed in **section 13A(2)**;
 - (b) 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.
- (3) To this end, the NCPS may—
- (a) set policies relating to the Acts listed in **section 13A(2)**;
 - (b) specify content or types of content that must be, may be, or must not be included in all or any of the following planning documents:

- (i) area plans:
 - (ii) freshwater fisheries management plans:
 - (iii) sports fish and game management plans:
 - (iv) reserve management plans (*see* section 41 of the Reserves Act 1977):
- (c) provide additional information on how consistent an activity is with the purposes for which areas are held or managed:
- (d) classify activities as pre-approved or exempt, in accordance with **section 13E**.
- (4) The NCPS must be made or amended in accordance with **Schedule 2**.
- (5) The NCPS must not direct the Department's prioritisation and resourcing in relation to its functions under section 6.
- (6) The NCPS made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

13E NCPS may classify activities as exempt or pre-approved

- (1) The NCPS may classify 1 or more activities on land described in **subsection (3)** as exempt or pre-approved if the Minister is satisfied that—
 - (a) the activity is consistent with—
 - (i) the Act that the land is held or managed under; and
 - (ii) the purposes for which the land is held or managed; and
 - (b) the activity does not require an interest in land to be granted; and
 - (c) any adverse effects (including any cumulative effects) of the activity can be avoided, remedied, or mitigated (including by use of conditions).
- (2) However, **subsection (1)(a)** does not require the Minister to be satisfied that every instance of a particular activity will be consistent with those matters.
- (3) The NCPS may classify activities on land vested in the Crown and held under this Act, the National Parks Act 1980, the Reserves Act 1977, or the Wildlife Act 1953.
- (4) In deciding whether a particular activity is to be classified as exempt or pre-approved, the Minister must consider—
 - (a) the scope of the activity; and
 - (b) the effects of the activity; and
 - (c) whether the Department needs to record concession data to monitor the volume of the activity; and
 - (d) whether it is reasonable to charge an activity fee for the activity.
- (5) A classification may apply to activities on all or part of the land described in **subsection (3)**.

- (6) If an activity is classified as pre-approved, the Minister—
 - (a) must set a maximum term length for pre-approved concessions for the activity (which must comply with **section 14ZY**);
 - (b) may set any conditions on the activity that may be imposed on a concession under **section 14ZM** to avoid, remedy, or mitigate the effects of the activity.
- (7) If an activity is classified as exempt, the Minister may set limitations on the activity to avoid, remedy, or mitigate the effects of the activity.
- (8) A classification must identify the areas of land to which it applies.
- (9) This section is subject to sections 71 to 73 of the Marine and Coastal Areas (Takutai Moana) Act 2011.

Suspension of exempt or pre-approved activities

13F Suspension of exempt or pre-approved activities

- (1) The Minister may make a notice suspending the status of an activity as exempt or pre-approved.
- (2) A suspension may be in force for no more than 60 working days from the date on which the notice is first published on the Department website.
- (3) A suspension starts on the date specified in the notice and ends on the earlier of—
 - (a) the expiry of the suspension period; and
 - (b) if applicable, the commencement of any amendments to the NCPS made in accordance with **section 13G**.
- (4) However, the Minister may issue 1 or more further suspension notices for the same activity.
- (5) A notice must include the following information:
 - (a) the exempt activity or pre-approved activity to which the suspension applies; and
 - (b) the circumstances in which the suspension applies; and
 - (c) the start and end dates of the suspension period.
- (6) Nothing in this section limits or affects the exercise by the Minister of any other power that has the effect of pausing or restricting the carrying out of activities in an area to which a suspension notice applies.
- (7) The Minister must give notice on the Department website when a suspension period has ended.
- (8) However, failure by the Minister to comply with **subsection (7)** does not affect the date on which the suspension ends.

- (9) A notice made under **subsection (1)** is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).
- (10) *See* **section 14A(4)** regarding the effect of a suspension of an exempt activity in relation to the requirement for a concession for that activity.
- (11) *See* **section 14ZK** regarding the effect of a suspension of a pre-approved activity in relation to a pre-approved concession granted for that activity.

13G Minister may amend NCPS during suspension period

- (1) During the period that a suspension notice is in force, the Minister may amend the NCPS for the purpose of—
 - (a) making the suspension permanent; or
 - (b) alleviating the problems that necessitated the suspension (including by amending the conditions of the relevant class of exempt activity or pre-approved activity).
- (2) For the purposes of **subsection (1)**, the Minister must use the short NCPS process under **Schedule 2**.

Area plans

13H Area plans

- (1) The Minister must make area plans.
- (2) The purpose of an area plan is to—
 - (a) provide regional-level and local-level policy relating to—
 - (i) the Acts listed in **section 13A(2)**; and
 - (ii) the Hauraki Gulf Marine Park Act 2000; and
 - (b) 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.
- (3) An area plan may—
 - (a) set objectives and policies relating to the Acts referred to in **subsection (2)(a)**; and
 - (b) provide information and context about the area as it relates to those Acts; and
 - (c) set out matters to be considered by the Department and the Minister in making decisions under those Acts.
- (4) Area plans must—
 - (a) be consistent with the NCPS; and
 - (b) be made or amended in accordance with **Schedule 3**.

- (5) In preparing an area plan or amendments to an area plan in accordance with **Schedule 3**, the Director-General must—
- (a) take into account all matters in relevant customary marine title planning documents that have been lodged with the Director-General in accordance with section 90 of the Marine and Coastal Area (Takutai Moana) Act 2011; and
 - (b) have regard to—
 - (i) other area plans:
 - (ii) current concessions that may be affected:
 - (iii) current licences or leases granted under section 50 of the National Parks Act 1980 that may be affected.
- (6) An area plan must not direct the Department’s prioritisation and resourcing in relation to its functions under section 6.
- (7) There must be an area plan for each area determined by the Director-General under **section 13I**.
- (8) A new or amended area plan must be published on the Department website and notified in the *Gazette* as soon as is reasonably practicable after it is made.
- (9) *See section 13N(3)*, which provides that area plans do not restrict or affect the exercise of any legal right or power by any person other than the Minister, the Director-General, or Fish and Game Councils.

13I Director-General to determine boundaries for area plans

- (1) The Director-General must determine the boundaries for the areas to be covered by area plans.
- (2) The Director-General must ensure that—
 - (a) areas covered by area plans do not overlap; and
 - (b) all land, coastal, and marine areas of New Zealand (extending to the outer limits of the territorial sea) are within a boundary.

16 Sections 17A to 17I repealed

Repeal sections 17A to 17I.

17 Section 17J amended and renumbered as section 13J (Freshwater fisheries management plans)

- (1) In section 17J(3)(b), replace “any policy” with “the NCPS or any other policy”.
- (2) Replace section 17J(3)(c) with:
 - (c) an area plan.
- (3) Renumber section 17J as **section 13J**.

18 Section 17K amended and renumbered as section 13K (Procedure for preparation, approval, review, and amendment of freshwater fisheries management plans)

- (1) Replace section 17K(1)(a) with:
 - (a) draft plans must be prepared by the Director-General in consultation with relevant Conservation Boards and other persons or organisations (including relevant iwi authorities) as the Director-General considers practicable and appropriate;
 - (aa) the Director-General must—
 - (i) publicly notify the draft plan; and
 - (ii) notify the draft plan to the local authorities in the area covered by the plan:
- (2) In section 17K(1)(b), replace “paragraph (a)” with “**paragraph (aa)**”.
- (3) Replace section 17K(2) with:
 - (2) The Director-General may at any time—
 - (a) amend the plan by making any change that does not affect the objectives of the plan;
 - (b) review the plan or part of the plan in accordance with **subsection (2A)**.
- (2A) A review consists of—
 - (a) consideration of the objectives and policies of the plan; and
 - (b) approval of a new plan.
- (4) After section 17K(6), insert:
 - (7) Following the making, amendment, or review of a freshwater fisheries management plan, the Director-General must give public notice of the new, amended, or reviewed plan, stating the places where the plan may be inspected or is available, which must include—
 - (a) the Department website; and
 - (b) for public inspection during office hours,—
 - (i) the Department’s head office;
 - (ii) any other place the Director-General considers appropriate.
- (5) Renumber section 17K as **section 13K**.

19 Section 17L amended and renumbered as section 13L (Sports fish and game management plans)

- (1) In section 17L(3)(b), replace “any policy” with “the NCPS or any other policy”.
- (2) Replace section 17L(3)(c) with:
 - (c) an area plan or a freshwater fisheries management plan.

- (3) Renumber section 17L as **section 13L**.

20 Section 17M amended and renumbered as section 13M (Procedure for preparation, approval, review, and amendment of sports fish and game management plans)

- (1) Replace section 17M(2)(a)(i) with:

(i) must give public notice of the draft plan; and

- (2) Replace section 17M(3) with:

- (3) The Fish and Game Council may at any time—

- (a) amend the plan by making any change that does not affect the objectives of the plan;
- (b) review the plan or part of the plan in accordance with **subsection (3A)**.

- (3A) A review consists of—

- (a) consideration of the objectives and policies of the plan; and
- (b) approval of a new plan.

- (3) After section 17M(6), insert:

- (7) Following the making, amendment, or review of a sports fish and game management plan, the Fish and Game Council must give public notice of the new, amended, or reviewed plan, stating the places where the plan may be inspected or is available, which must include—

- (a) the Department website; and
- (b) the New Zealand Fish and Game Council's internet site; and
- (c) for public inspection during office hours,—
 - (i) the Department's head office;
 - (ii) the office of the New Zealand Fish and Game Council;
 - (iii) the offices of the Fish and Game Council.

- (4) Renumber section 17M as **section 13M**.

21 New section 13N inserted (Effect of plans)

After **section 13M** (as renumbered by **section 20** of this Act), insert:

13N Effect of plans

- (1) This section applies to—

- (a) new or amended area plans;
- (b) new, reviewed, or amended—
 - (i) freshwater fisheries management plans;
 - (ii) sports fish and game management plans.

- (2) The plans come into effect from the later of the date specified in the plan or,—

- (a) for area plans, the date on which the plan or amendment is made;
- (b) for other plans, the date on which the plan or amendment is approved.
- (3) Plans do not restrict or affect the exercise of any legal right or power by any person other than—
 - (a) the Minister;
 - (b) the Director-General;
 - (c) the New Zealand Fish and Game Council;
 - (d) Fish and Game Councils.
- (4) **Subsection (3)** is subject to **section 14ZO**.

22 Section 17N repealed (Effect of general policies, conservation management strategies, and management plans)

Repeal section 17N.

Subpart 6—Part 3B replaced ~~(with Parts 3B, 3C, and 3D)~~

23 Part 3B replaced ~~(with Parts 3B, 3C, and 3D)~~

Replace Part 3B with:

Part 3B
Concessions

Subpart 1—Purpose and other preliminary matters

14 Purpose of this Part

- (1) The purpose of this Part is to provide a concession framework within which the Minister—
 - (a) may, in a way that recognises the economic opportunities that arise from the use and development of the natural resources and historic resources of conservation areas, make decisions enabling their use and development to the greatest extent practicable under this Act;
 - (b) may, in a way that recognises the economic opportunities that arise from the use and development of land managed by the Department under the Acts referred to in **subsection (2)**, make decisions enabling that land's use and development to the greatest extent practicable under those Acts.
- (2) The Acts are the National Parks Act 1980, the Reserves Act 1977, and the Wildlife Act 1953.
- (3) See section 49(1) of the National Parks Act 1980, section 59A(1) of the Reserves Act 1977, and section 14AA(1) of the Wildlife Act 1953, which apply this Part, with modifications, in order to authorise the granting of concessions under those Acts.

14A When concession required

- (1) An activity may be carried out in a conservation area only if it is authorised by a concession granted by the Minister.
- (2) Despite **subsection (1)**, an activity may be carried out in a conservation area without a concession granted by the Minister if it is—
 - (a) an activity otherwise authorised by or under this Act or any Act listed in Schedule 1:
 - (b) an activity carried out by the Minister or Director-General when exercising or performing a function, duty, or power under this Act or any other Act:
 - (c) an activity classified as exempt in accordance with **section 13E**:
 - (d) a mining activity authorised under the Crown Minerals Act 1991:
 - (e) an activity necessary for the purposes of—
 - (i) saving or protecting life or health:
 - (ii) preventing serious damage to property:
 - (iii) avoiding an actual or likely adverse effect on the environment:
 - (f) a recreational activity undertaken by an individual or organised group if the individual or group is undertaking the activity without gain or reward, pecuniary or otherwise, for that activity.
- (3) The exemption in **subsection (2)(a)** does not apply to a sports fishing guide or a game hunting guide carrying out an activity.
- (4) The exemption in **subsection (2)(c)** does not apply if a suspension notice under **section 13F** is in force in respect of that activity.
- (5) A reasonable charge imposed by a group on its members to recover the reasonable expenses in organising a recreational activity is not gain or reward for the purposes of **subsection (2)(f)**.
- (6) To avoid doubt, **section 12** applies to any recreational activity described in **subsection (2)(f)** that involves an aircraft landing or taking off in a conservation area.

14B How concession granted

The Minister may grant a concession—

- (a) by individual application, in accordance with **subpart 2**; or
- (b) by allocation, in accordance with **subpart 3**; or
- (c) if the concession is for a pre-approved activity, in accordance with **subpart 4**.

14C Crown-owned wharves

- (1) A concession may be granted to a person under this Part for the purposes of carrying out an activity on, or in relation to, a Crown-owned wharf—
 - (a) that is attached to—
 - (i) any part of the common marine and coastal area or any other part of the seabed; or
 - (ii) a riverbed or lakebed; and
 - (b) in relation to which the landward portion of the wharf extends into a conservation area.
- (2) For the purposes of **subsection (1)**, this Part applies—
 - (a) as if the wharf were a fixture wholly contained within the conservation area; and
 - (b) with any necessary modifications.
- (3) In this section, **wharf** includes a mooring, dock, quay, marina, jetty, or launching facility of any description that is Crown-owned.
- (4) To avoid doubt, nothing in this section authorises a concession to be granted for the purposes of any activity in relation to the water body to which the wharf is attached.

14D Relationship with other legislation

- (1) This Part is subject to Part 2 of the Forests (West Coast Accord) Act 2000 in relation to land that is a conservation area as a result of a declaration under section 8(1) of that Act.
- (2) Except as provided in **subsection (3)**, this Part does not relieve any person from any obligation to obtain a resource consent under the Resource Management Act 1991.
- (3) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to any lease granted by the Minister.

14E Other land management powers not affected

Nothing in this Part affects or limits the exercise by the Minister or Director-General of any power to manage any land held or managed under this Act or any Act listed in Schedule 1.

Subpart 2—Individual application process**14F Individual application process**

- (1) A person may apply to the Minister under this subpart to carry out an activity for which a concession is required.
- (2) **Subsection (1)** applies unless—

- (a) the Minister has begun an allocation process for the activity under **sub-part 3** and the person's application would be inconsistent with that process; or
- (b) the activity is an activity in relation to which there is a current prescribed concession and the person is not the holder of that concession.

Submitting an application

14G Contents of application

- (1) An application must—
 - (a) describe the proposed activity;
 - (b) identify where the activity will be carried out and the status of that land;
 - (c) describe—
 - (i) the potential effects of the activity; and
 - (ii) any actions the applicant proposes to take to avoid, remedy, or mitigate any adverse effects of the activity;
 - (d) include information relating to the applicant, including information relevant to the applicant's ability to carry out the activity;
 - (e) state the type of concession the applicant is seeking, its proposed duration, and the reasons for that period of time;
 - (f) if the concession sought is a lease, a licence granting an interest in land, or an easement,—
 - (i) state the reasons why the applicant is seeking that type of concession; and
 - (ii) provide sufficient information to satisfy the Minister that, in terms of **section 14ZB**, it is appropriate to grant the lease, licence, or easement.
- (2) An application may include any other information that the applicant thinks relevant.
- (3) The Minister may require an application—
 - (a) to be submitted in a particular form; or
 - (b) to include certain information over and above that required under **sub-section (1)**.
- (4) However, the Minister may do so only if the relevant requirements are publicly available on the Department website.

14H Initial processing fee

- (1) The Minister may impose an initial processing fee on the lodging of an application to be payable at the time the application is lodged.

- (2) However, if the Minister discontinues considering an application under **section 14U or 14V**, the Minister may refund the whole or part of the fee.

14I Completeness check

- (1) Before considering an application, the Minister must be satisfied that the application is complete.
- (2) An application is complete if the Minister is satisfied that—
- (a) it contains, in sufficient detail, all the information required under **section 14G**; and
 - (b) neither exception in **section 14F(2)** applies; and
 - (c) the initial processing fee (if any) has been paid.
- (3) The Minister must—
- (a) give written notice to the applicant on whether their application is complete; and
 - (b) if incomplete, return the application with the notice, including the reasons why.
- (4) However, the Minister may instead contact an applicant and give them the opportunity to revise their application.
- (5) An incomplete application, if resubmitted, will be treated as a new application.

14J Applications to be publicly available

The Director-General must make available, in an electronically accessible format,—

- (a) a record of each concession application that satisfies the completeness requirements in **section 14I**; and
- (b) details of any public notification of the application; and
- (c) the decision made on the application.

Minister's decision-making process

14K Matters that must be considered

The Minister must have regard to all the following matters when considering a complete application:

- (a) the nature of the activity and, if relevant, the type of any structure or facility proposed to be constructed;
- (b) the effects of the activity;
- (c) any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity;
- (d) any information received by the Minister under **section 14G, 14L, 14M, or 14T**:

- (e) if the application is required to be publicly notified under **section 14R**, any submissions received as a result;
- (f) any other relevant information received by the Minister;
- (g) the requirements of **sections 14Z, 14ZB, and 14ZC**;
- (h) any other relevant provisions of this Act.

14L Minister may require further information

- (1) The Minister may, by written notice, require an applicant to supply any further information that the Minister considers necessary in order to make a decision on their application (for example, an environmental impact assessment).
- (2) The Minister must specify in the notice—
 - (a) the information required; and
 - (b) any particular form in which the information must be supplied, including by reference to the form requirements of other legislation; and
 - (c) the date by which the information must be supplied, being no later than 10 working days from the date on which the notice is given, unless a later date is specified.
- (3) The applicant must supply the information no later than the deadline specified in the notice. However, the Minister may, by written notice, extend that deadline.
- (4) The Minister may require information from an applicant in accordance with this section on 1 or more occasions.

14M Minister may commission report, seek advice, etc

- (1) The Minister may—
 - (a) commission a report or seek advice from any person (including the Director-General) on any matter in relation to an application;
 - (b) obtain, from any source, any existing information on the proposed activity that is the subject of an application.
- (2) For any information obtained under **subsection (1)** at an applicant's expense, the Minister must—
 - (a) provide the applicant with a copy of that information; and
 - (b) specify the date by which and the manner in which the applicant may provide comments on it.
- (3) To avoid doubt, a report or advice may include a review of an application and any information provided by the applicant.
- (4) The Minister may commission a report, seek advice, or obtain information in accordance with this section on 1 or more occasions.

*Deadlines for decisions on applications***14N Default deadlines**

- (1) The Minister must grant or decline to grant—
 - (a) a permit application no later than 80 working days after the date on which notice is given informing an applicant that their application is complete (**completed application date**);
 - (b) a non-notified licence application or an easement application no later than 100 working days after the completed application date;
 - (c) a lease application or notified licence application no later than 180 working days after the completed application date.
- (2) Despite **subsection (1)**, an applicant has no right to any redress if the Minister fails to meet the relevant deadline.
- (3) A deadline specified in this section applies to an application for a variation or an extension of a concession as if the variation or extension were an application for a concession.
- (4) This section is subject to **sections 14O, 14P, and 14Q** (which set out the circumstances in which, and the number of working days by which, the deadline for the Minister to grant or decline to grant an application may be or is extended).
- (5) **Subsection (6)** applies if the relevant deadline in **subsection (1)** is extended—
 - (a) under more than 1 of **sections 14O, 14P, and 14Q**; and
 - (b) 1 or more times, whether consecutively or concurrently.
- (6) The deadline by which the Minister must grant or decline to grant the application under this section must be recalculated taking into account each extension of time that the relevant sections require.

14O Discretionary extension

- (1) The Minister may, at any time, extend the time by which the Minister must grant or decline to grant a concession application under **section 14N**.
- (2) For this purpose, the Minister must, before the deadline expires,—
 - (a) inform the applicant in writing that the deadline is extended; and
 - (b) give reasons for the extension and the date of the new deadline.
- (3) The Minister may extend the time by which a decision must be made on more than 1 occasion but must comply with **subsection (2)** each time.

14P Automatic extension for further information

- (1) **Subsection (2)** applies if the Minister requests further information from an applicant in accordance with **section 14L**.

- (2) The deadline by which the Minister must grant or decline to grant their application under **section 14N** is automatically extended by the number of working days that fall within the period beginning on the date on which the Minister requests the information and ending on the date that is the earliest of—
 - (a) the day on which the applicant provides the information; and
 - (b) the day on which the applicant informs the Minister that they will not be supplying the information; and
 - (c) the last date by which the applicant is required to supply the information.
- (3) **Subsection (4)** applies if—
 - (a) the Minister commissions a report, seeks advice, or obtains information on an application in accordance with **section 14M**; and
 - (b) the report, advice, or information is obtained at the applicant's expense.
- (4) The deadline by which the Minister must grant or decline to grant the application under **section 14N** is automatically extended by the number of working days that fall within the period beginning on the date on which the Minister commissions the report, seeks the advice, or requests the information and ending on the date that is the earliest of—
 - (a) the day on which the applicant provides comments on the report, advice, or information; and
 - (b) the day on which the applicant informs the Minister that they will not be providing comments; and
 - (c) the last date by which the applicant may provide comments.
- (5) The Minister may, but is not required to, continue considering an application to which this section applies until the relevant information is received.
- (6) To avoid doubt, any costs accrued by the Minister while acting under **subsection (5)** are recoverable under section 60B or **60BA**.

14Q Automatic extension for suspensions

Request by applicant

- (1) The Minister must suspend considering an application for a concession on the written request of an applicant.
- (2) The suspension—
 - (a) takes effect on the day on which the Minister receives the applicant's request; and
 - (b) ends on the first working day after the day on which the Minister receives a further written notice from the applicant requesting the Minister to recommence considering the application.
- (3) An applicant may request a suspension more than once.

Outstanding payments

- (4) The Minister may suspend considering an application if—
- (a) the applicant is required to make 1 or more payments under **section 60BA** in relation to the application; and
 - (b) 20 working days have elapsed since a payment was due.

- (5) The suspension—

- (a) takes effect on the date on which notice is given to the applicant under **subsection (7)**; and
- (b) ends on the first working day after the day on which the payment is received.

Deadlines automatically extended

- (6) The following deadlines are automatically extended by the number of working days that fall within the suspension period:
- (a) the deadline by which the Minister must grant or decline to grant the application under **section 14N**; and
 - (b) the deadline by which any affected party may provide comments on the application.

Minister must notify

- (7) The Minister must notify the applicant and any affected party—
- (a) that consideration of the application has been suspended; and
 - (b) if relevant, of the revised dates of any deadlines that may have an impact on them.
- (8) If consideration of the application is—
- (a) resumed, the Minister must, as soon as practicable after doing so, notify the applicant and any affected party—
 - (i) that consideration of the application has been resumed; and
 - (ii) if relevant, of the revised dates of any deadlines that may have an impact on them;
 - (b) not resumed by operation of **section 14X**, the Minister must notify the applicant and any affected party of that fact.
- (9) For the purposes of this section, a party must be notified in the manner in which they were initially informed of the application.
- (10) In this section, **affected party** means all or any of the following, as the case may be:
- (a) the applicant, if **section 14M(2)** applies to them;
 - (b) the public, if the application has been publicly notified in accordance with **section 14R**;
 - (c) a Māori group, if **section 14T** applies to the group.

*Public notification and hearings***14R Public notification of applications***Notification mandatory*

- (1) The Minister must publicly notify every application for a lease.
- (2) The Minister must publicly notify every application for a licence for a term of more than 10 years (inclusive of renewals).

Notification discretionary

- (3) The Minister may publicly notify any other application for a licence if, having regard to the effects of the licence, the Minister considers it appropriate to do so.
- (4) The Minister may publicly notify an application for a permit or an easement if, having regard to the effects of the permit or easement, the Minister considers it appropriate to do so.

Notification not required in certain circumstances

- (5) However, nothing in **subsections (1) to (4)** requires the Minister to publicly notify—
 - (a) an application found to be incomplete under **section 14I(2)**; or
 - (b) an application to which any of **section 14U, 14V, 14W, or 14X** apply; or
 - (c) an application that the Minister is unlikely to grant for any reason; or
 - (d) an application for the grant of a grazing licence; or
 - (e) an application in relation to a current concession for the grant of a lease or licence resulting from—
 - (i) the exercise of a right of renewal or extension under the concession; or
 - (ii) a right to a new lease or licence under the concession.

14S Hearings

- (1) A submitter on a publicly notified application has no right to be heard on their submission.
- (2) However, the Minister may give the submitter the opportunity to be heard.

*Consultation with Māori groups***14T Consultation with Māori groups**

- (1) The Minister may invite written comments on an application from Māori groups with relevant interests.
- (2) A group must provide any comments by the later of—
 - (a) 20 working days after the date on which the invitation is given; and

- (b) if applicable, the time frame specified in the group's Treaty settlement for input into applications for concessions if, cumulatively, that time frame is longer than 20 working days (or, if no particular time frame is specified, the time frame that applies in relation to statutory authorisations).
- (3) However, the Minister may, by further written notice, extend the deadline.
- (4) To avoid doubt, this section does not limit or affect any other obligation that the Minister has in relation to engagement with Māori groups with relevant interests in the application.

Discontinued applications

14U Non-compliance, inconsistency, unsuitable applicant, etc

- (1) The Minister may discontinue considering an application no later than 10 working days after the date on which the Minister gives notice to the applicant under **section 14I** that their application is complete (the **10-day period**).
- (2) The Minister may do so—
 - (a) for all or any of the reasons set out in **subsection (3)**; and
 - (b) without further inquiry than the information provided in the application.
- (3) The reasons are—
 - (a) the application obviously does not comply or is inconsistent with—
 - (i) any provisions of this Act or an Act listed in Schedule 1; or
 - (ii) any secondary legislation made under this or those Acts, including the NCPS; or
 - (iii) any relevant area plan;
 - (b) in the Minister's view, there have been or are serious or repeated breaches of the terms or conditions of any concession that was or is held by the applicant (including in relation to any outstanding debt);
 - (c) granting the concession would frustrate the Minister's intentions for the land.
- (4) Despite **subsection (1)**, if during the 10-day period an applicant requests that consideration of their application be suspended under **section 14Q**, the 10-day period is automatically extended by the number of working days that fall within the suspension period as calculated under that section.
- (5) See **section 14Y** for matters relating to an application being discontinued under this section.

14V Allocation process more appropriate

- (1) The Minister may discontinue considering an application no later than 20 working days after the date on which the Minister gives notice to the applicant under **section 14I(3)** that their application is complete (the **20-day period**) if

the Minister considers that an allocation process is more appropriate in the circumstances, having had regard to—

- (a) the proposed activity; and
 - (b) the conservation area or areas in which the activity is proposed to be carried out.
- (2) However, if during the 20-day period an applicant requests that consideration of their application be suspended under **section 14Q**, the 20-day period is automatically extended by the number of working days that fall within the suspension period as calculated under that section.
- (3) *See section 14Y* for matters relating to an application being discontinued under this section.

14W Further information not provided

- (1) The Minister may discontinue considering an application at any time if—
- (a) the Minister requests further information from an applicant by notice under **section 14L**; and
 - (b) the applicant fails to supply some or all of the information by the date specified or, if applicable, in the form specified in the notice; and
 - (c) the Minister considers that the missing information is necessary for deciding the application.
- (2) *See section 14Y* for matters relating to an application being discontinued under this section.

14X Suspended application exceeding grace period

Requested suspensions exceed limit

- (1) The Minister may discontinue considering an application if—
- (a) the Minister has, at the request of the applicant, suspended considering the application under **section 14Q(1)** on 1 or more occasions; and
 - (b) the application has been suspended at the applicant's request for a total of more than 120 working days.

Outstanding payments remain unpaid

- (2) The Minister may discontinue considering an application if—
- (a) the Minister has suspended considering the application under **section 14Q(4)**; and
 - (b) the applicant has failed to pay the outstanding amount by the date that is 20 working days after the date on which the suspension period began.
- (3) *See section 14Y* for matters relating to an application being discontinued under this section.

14Y Matters relating to discontinued applications

- (1) The Minister must give written notice to an applicant if consideration of their application is discontinued under any of **section 14U, 14V, 14W, or 14X**, and include the reasons why.
- (2) An applicant may resubmit their application addressing the reasons why it was discontinued or, as the case may be, participate in an allocation related to the activity for which they are seeking a concession.
- (3) If resubmitted, the application will be treated for the purposes of this Part as a new application.

*Declined applications***14Z Grounds for declining application***Mandatory grounds*

- (1) The Minister must decline an application if the proposed activity would be contrary to or inconsistent with—
 - (a) any provision of this Act or an Act listed in Schedule 1; or
 - (b) any secondary legislation made under this Act or an Act listed in Schedule 1, including the NCPS; or
 - (c) an area plan; or
 - (d) the purpose for which the land concerned is held.
- (2) The Minister must decline an application if the activity would include building, extending, or adding to a structure or facility and the Minister is satisfied—
 - (a) that the activity could reasonably be undertaken in another location that is—
 - (i) outside the conservation area to which the application relates; or
 - (ii) in another conservation area, or in another part of the conservation area to which the application relates, where the potential adverse effects of the activity would be significantly less; or
 - (b) that the activity could reasonably use an existing structure or facility or the existing structure or facility without the addition.

Discretionary grounds

- (3) The Minister may decline an application if the Minister considers that all or any of the following apply:
 - (a) the information available is insufficient or inadequate to enable the Minister to assess the effects of the activity (including information in relation to any proposed methods to avoid, remedy, or mitigate adverse effects):
 - (b) there are no adequate methods or no reasonable methods for remedying, avoiding, or mitigating adverse effects of the activity:

- (c) the Minister considers that the grant of a concession is inappropriate, having regard to the matters in **section 14K**, any other provision of this Act, or any other Act;
 - (d) the Minister considers that the effects of the activity are such that an amendment to the NCPS or relevant area plan would be more appropriate;
 - (e) despite consideration of the application having not been discontinued under **section 14U or 14V**, the Minister considers that 1 or more of the reasons set out in those sections for declining an application remain relevant.
- (4) See **section 14ZA and clause 3 of Schedule 3** in relation to an application that is declined under **subsection (3)(d)**.

14ZA Declined applications

- (1) The Minister must give written notice to an applicant if their application is declined under **section 14Z**, including the reasons why.
- (2) If the reasons relate to the matters in **section 14Z(3)(d)**, the Minister must also give the applicant a summary of how the applicant may request an amendment to an area plan under **clause 3 of Schedule 3**.
- (3) An applicant may do all or any of the following, as relevant to their application:
 - (a) apply for a reconsideration of the decision;
 - (b) resubmit their application;
 - (c) participate in an allocation process related to the activity for which they are seeking a concession.
- (4) If resubmitted, the application will be treated for the purposes of this Part as a new application.

Limitations on granting certain concessions

14ZB Limitations on granting lease, licence, or easement

- (1) The Minister must not grant a lease unless the applicant satisfies the Minister that exclusive possession is necessary for—
 - (a) the protection of public safety; or
 - (b) the protection of the physical security of the relevant activity; or
 - (c) the competent operation of the relevant activity, including the necessity for adequate maintenance and investment in the activity.
- (2) The Minister must not grant an easement if—
 - (a) a lease, licence, or permit may be granted for that activity; and

- (b) the Minister considers granting a lease, licence, or permit would be more appropriate.
- (3) The Minister may grant a lease or a licence (other than a *profit à prendre*) granting an interest in land only if—
 - (a) the lease or licence relates to fixed structures and facilities; and
 - (b) those structures and facilities do not include any track or road unless the track or road is an integral part of a larger facility; and
 - (c) if the application includes an area or areas around the structure or facility,—
 - (i) it is necessary—
 - (A) for the purposes of the safety or security of the site, structure, or facility to include those areas; or
 - (B) to include those areas because they are an integral part of the activity on the land; and
 - (ii) the grant of a lease or licence granting an interest in land is essential to enable the activity to be carried on.

14ZC Limitations regarding marginal strips

- (1) Subject to the rest of this section, the Minister may grant a concession over a conservation area that is a marginal strip (a **marginal strip**).
- (2) The Minister must not grant a lease over a marginal strip unless satisfied that—
 - (a) granting the lease is permitted by this Part; and
 - (b) the activities authorised by the lease require the use of both the marginal strip and the adjacent water; and
 - (c) the land, structures, and facilities to which the lease relates are essential to the carrying out of those activities.
- (3) No concession may authorise the owner of any land adjoining a marginal strip to use the marginal strip for—
 - (a) farming or forestry on the owner's land; or
 - (b) any purpose associated with or incidental to any farming or forestry on the owner's land.
- (4) The Minister may decline to grant a concession over a marginal strip if satisfied that it is more appropriate to enter into an agreement or arrangement under section 24H.
- (5) **Subsection (1)** does not apply to a lease over a marginal strip that formalises an occupation of land if that occupation existed before 10 April 1990.
- (6) Nothing in **subsection (4)** limits or affects section 24H as that section applies to an owner of land adjoining a marginal strip.

- (7) Nothing in Part 4A applies to a lease or licence granted over a marginal strip under this Part.

Reconsideration of Minister's decisions

14ZD Entitlement to reconsideration

Incomplete and discontinued applications

- (1) A person has no right to apply to the Minister for reconsideration of the finding that their application is incomplete under **section 14I(2)**.
- (2) A person has no right to apply to the Minister for reconsideration of the Minister's decision to discontinue their application under **section 14U, 14V, 14W, or 14X**, as the case may be.

Declined applications

- (3) A person may apply, once only, for reconsideration by the Minister of the Minister's decision to decline their application.
- (4) An application must be made no later than 20 working days after the Minister has declined the concession.

Granted applications

- (5) A person may apply, once only, for reconsideration of the Minister's decision to impose or set conditions on the concession under any of **section 14ZM, 14ZN, 14ZS(2)(b), or 14ZX**.
- (6) An application must be made—
- (a) no later than 20 working days after the Minister has granted the concession; and
 - (b) if **section 14ZZD(1)** applies and the concession document is required to be signed, before the document is signed.

14ZE Reconsideration

- (1) The Minister must decide a reconsideration application no later than 30 working days after receiving it.
- (2) However, the Minister may extend the deadline if, before it expires, the Minister—
- (a) informs the applicant in writing that the deadline is extended; and
 - (b) gives reasons for the extension and the date of the new deadline.
- (3) In deciding an application, the Minister may consider only—
- (a) the information the Minister considered as part of the original application; and
 - (b) any information that—
 - (i) existed at the time the Minister decided that application; and

- (ii) would, at that time, have been relevant to the Minister's decision; and
 - (iii) in all the circumstances, it would be fair for the Minister to take into account.
- (4) The Minister may extend the time by which the Minister must reconsider an application on 1 or more occasions but must comply with **subsection (2)** each time.

Subpart 3—Allocation process

14ZF Allocation process

- (1) The Minister may grant concessions for an activity by means of any allocation process that the Minister considers appropriate.
- (2) Without limiting **subsection (1)**, the Minister may—
 - (a) tender the right to make an application, invite 1 or more applications, or encourage, by any means, specific applications within a specified time frame; or
 - (b) stipulate, as part of any allocation process, that applications are to be considered in a particular order or priority (for example, in parallel).
- (3) However, the Minister must not initiate an allocation process for an activity in relation to which there is a current prescribed concession.

14ZG Section 4 does not require allocation process

Section 4 does not require the Minister to initiate an allocation process for the purpose of granting concessions for an activity.

14ZH Application of subpart 2

For the purposes of any allocation process that the Minister carries out under this subpart, **sections 14G, 14H, 14I, 14J, 14K, 14L, 14M, 14R, 14S, 14T, 14U, 14W, 14X, 14Y, 14Z, 14ZA, 14ZB, 14ZC, 14ZD, and 14ZE of subpart 2** apply—

- (a) as if an application under that allocation process were an application under that subpart; and
- (b) with any other necessary modifications.

Subpart 4—Pre-approved concessions

14ZI How pre-approved concession granted

- (1) A pre-approved concession—
 - (a) is deemed to be granted, executed, and issued once the applicant—
 - (i) completes the concession application; and

- (ii) accepts the conditions attached to the concession (if any); and
 - (iii) pays the prescribed fee (if any); and
- (b) takes effect from the date on which the last of the requirements in **paragraph (a)** is fulfilled.
- (2) Nothing in **subparts 2 and 3** applies to the granting of a pre-approved concession.

14ZJ Conditions of pre-approved concession

- (1) A pre-approved concession is deemed to include a condition that, if a suspension notice given under **section 13F** applies to the concession, the concession is automatically invalidated—
 - (a) for the duration of the suspension; and
 - (b) to the extent that the notice applies to the concession.
- (2) To avoid doubt, the holder of a pre-approved concession must also comply with any relevant conditions the Minister imposes under **section 13E(6)(b)** or **subpart 5**.

14ZK Suspension of pre-approved concessions

- (1) **Subsection (2)** applies if the Minister has issued a suspension notice under **section 13F** for a pre-approved activity or class of pre-approved activities.
- (2) During the period in which a suspension notice is in force,—
 - (a) all current pre-approved concessions for that activity or class of activity are invalid to the extent that the notice applies to those concessions; and
 - (b) no new pre-approved concessions may be issued for that activity or class of activity to the extent that the notice would apply to such a concession.
- (3) To avoid doubt, nothing in **subsection (2)**—
 - (a) affects a concession approved under **subpart 2** for the activity to which the suspension notice relates; or
 - (b) prevents a person from applying for a concession under that subpart to undertake that activity.

Subpart 5—Matters that apply to all concessions

14ZL Application of this subpart

- (1) Subject to **subsection (2)**, this subpart applies to all concessions granted under this Act unless provided otherwise in another provision of this Act.
- (2) Only **sections 14ZM, 14ZN, 14ZO, 14ZP, 14ZQ, 14ZW, 14ZX, and 14ZY** of this subpart apply to a pre-approved concession.

*Conditions***14ZM General conditions**

- (1) In granting a concession, the Minister may impose any conditions on the concession that the Minister considers appropriate, including (but not limited to) conditions relating to—
- (a) the activity itself, including the carrying out of the activity, and the places where it may be carried out;
 - (b) who may carry out the activity;
 - (c) the payment of activity fees or levies or charges;
 - (d) payment for any adverse effects of the activity on the Crown's or public's interest in the relevant land, unless already taken into account in the setting of any relevant activity fees;
 - (e) the provision by the concession holder of bonds—
 - (i) to cover any costs incurred by the Minister in carrying out work that the holder has failed to carry out as required under the concession; or
 - (ii) to mitigate any adverse effects arising from but not authorised by the concession or not reasonably foreseen at the time the concession was granted;
 - (f) the waiver or reduction of any activity fee or bond if—
 - (i) the concession holder makes a contribution to the management of the relevant land or the public interest in that land; or
 - (ii) there is any other non-commercial public benefit from the activity; or
 - (iii) any circumstances of the concession justify a waiver or reduction; or
 - (iv) the costs of setting or recovering the fee or bond exceed any amounts that are payable;
 - (g) the restoration of the site on which the activity is carried out and the removal of any structure or facility at the expense of the concession holder at the end of the term of the concession;
 - (h) the vesting in the Crown of any structure or facility at the end of the concession;
 - (i) periodic reviews of the terms and conditions (including activity fees) of the concession;
 - (j) a covenant that on any transfer, sublease, sublicence, assignment, or mortgage of a concession, the concession holder will remain liable throughout the term (including renewals) of the concession and will pro-

cure from the transferee, sublessee, sublicensee, assignee, or mortgagee a covenant to be bound by the conditions of the concession:

- (k) the payment of any fees (including legal fees) in respect of the preparation of the concession document and its registration (if necessary), being fees payable in addition to any fees payable under sections 60A to 60D:
- (l) conditions in relation to the matters in **section 14ZN**.
- (2) The Minister must not impose a condition under this section—
 - (a) if the Minister has set a standardised condition under **section 14ZS** for the same matter; or
 - (b) if the condition would be inconsistent with any regulations made for the purposes of **section 48E**; or
 - (c) if the condition would be inconsistent with the NCPS or any relevant area plan.

14ZN Conditions about management activities

In granting a concession, the Minister may impose a condition that a concession holder—

- (a) carry out activities relating to the management of any conservation area on behalf of the Minister; or
- (b) at any time enter into an agreement providing for the concession holder to carry out matters of that nature.

Deemed conditions

14ZO NCPS and area plans condition

Every concession is deemed to include a condition that the concession holder must act in accordance with the NCPS and any relevant area plan, whether those instruments are approved before, on, or after the date on which the concession becomes effective.

14ZP Activity fees, levies, etc, condition

- (1) Every concession is deemed to include a condition that a concession holder—
 - (a) may be required to pay the Minister an activity fee under the concession; and
 - (b) may be required to pay, either to the Minister or as directed by the Minister, any other levy or charge made on an occupier or owner of land, as a result of the grant of a concession that is a lease, licence, or easement.
- (2) An activity fee payable by a concession holder may be—
 - (a) a fee specified in their concession; or
 - (b) a prescribed fee; or

- (c) both a specified fee and a prescribed fee.
- (3) An activity fee may be fixed at the market value, having regard to—
 - (a) the circumstances relating to the nature of the activity to which the concession applies; and
 - (b) the effects of the activity on the relevant conservation area both generally and in relation to the purpose for which that area is held; and
 - (c) any contractual conditions, covenants, or other encumbrances placed by the concession on intrinsic resources, natural resources, or historic resources.
- (4) Every concession is deemed to include a condition that—
 - (a) any activity fees for the concession must be reviewed at least every 3 years; and
 - (b) as a result of any review, the Minister may change the method of ascertaining the amount of the fees (for example, from a fixed fee to a variable fee).

14ZQ Financial statements condition

- (1) Every concession is deemed to include a condition that the Minister may require the concession holder to provide all relevant financial statements for the purposes of verifying any activity fees, levies, or charges payable under the concession.
- (2) The statements must be provided to the Minister—
 - (a) no later than 6 months after the end of the financial year if the statements relate to that financial year; or
 - (b) within a reasonable period specified by the Minister for any other financial year.
- (3) Failure to comply with **subsection (2)** is deemed to be a breach of the concession.

14ZR Standardised conditions condition

Every concession is deemed to include a condition that the concession is subject to any standardised condition prescribed under **section 14ZT** and applicable to the concession.

*Standardised conditions***14ZS Standardised conditions set by Minister**

- (1) The Minister may, by notice on the Department website, set standardised conditions in relation to any matter described in **section 14ZM** for—
 - (a) new concessions; and
 - (b) concessions varied under **section 14ZV(2)** (a revisited concession).

- (2) A standardised condition may be set—
- (a) in relation to all concessions or any particular class of concession specified in the notice; and
 - (b) by any method, including—
 - (i) by empowering the Minister to elect 1 option from a series of alternatives to be included as a condition of each concession to which the notice applies; and
 - (ii) by requiring a condition of a nature specified in the notice to be included in each concession to which the notice applies but leaving the manner in which that condition must be fulfilled at the discretion of the Minister.
- (3) A standardised condition—
- (a) takes effect from the date specified in the notice; and
 - (b) must be included,—
 - (i) for each new concession, on or after that date; and
 - (ii) for each revisited concession, on the date on which the concession is varied.
- (4) Despite **subsection (3)**, the Minister may vary or not include a standardised condition in a new or revisited concession if the Minister considers that the condition is plainly inappropriate in the circumstances of that particular concession.

14ZT Prescribed standardised conditions

- (1) Standardised conditions may be prescribed for all, or a particular class of, existing concessions specified in the regulations.
- (2) A standardised condition—
- (a) is deemed to be included in an existing concession on and from the date specified in the regulations; and
 - (b) cannot be varied in relation to any individual concession.
- (3) If regulations are made setting a standardised condition described in—
- (a) **section 48E(3)(b)** and the Minister and the concession holder are unable to agree on which optional condition is to be imposed, the Minister must impose the optional condition that, in the Minister's opinion, is the most appropriate in the circumstances;
 - (b) **section 48E(3)(c)** and the Minister and the concession holder are unable to agree on what that condition should be, the Minister must impose the condition that, in the Minister's opinion, best addresses the issues for which the regulation was made.
- (4) Nothing in this section limits the power of the Minister to unilaterally vary the conditions of a concession under **section 14ZV(3)**.

14ZU No compensation payable for expropriation

- (1) This section applies if a condition imposed on a concession under **section 14ZT** results in any interest or right of the concession holder being modified or extinguished, whether wholly or in part.
- (2) No compensation is payable by the Crown for the modification or extinguishment of that interest or right.

*Variation of conditions***14ZV Variation of conditions***Agreed variations*

- (1) The Minister and a concession holder may, by agreement in writing and without any public notification, vary a condition or the term of the holder's concession if—
 - (a) the variation is of a minor and technical nature and does not—
 - (i) materially increase the adverse effects of the activity; or
 - (ii) materially change the location of the activity; or
 - (b) the variation will reduce the adverse effects of the activity or the duration of the activity.

Variation requested by concession holder

- (2) A concession holder may apply to the Minister for a variation of their concession or an extension to the term of their concession and, for the purposes of considering the application, **subpart 2**, except **section 14ZD**, applies with any necessary modifications.

Unilateral ministerial variations

- (3) The Minister may unilaterally vary the conditions of a concession if the variation—
 - (a) results from a review provided for under the concession; or
 - (b) is necessary to deal with significant adverse effects of the activity that were not reasonably foreseeable at the time the concession was granted; or
 - (c) is necessary because—
 - (i) the information provided by the concession holder for the purposes of the concession application contained inaccuracies that materially influenced the Minister's decision to grant the concession; and
 - (ii) the effects of the activity permitted by the concession require more appropriate conditions.
- (4) A variation imposed by the Minister under **subsection (3)** is deemed to be a condition of the concession.

Execution of variations

- (5) An instrument of any variation or extension must be executed by the Minister and by the concession holder and, if it relates to a lease, licence, or easement registered under the Land Transfer Act 2017, must be registered under that Act.
- (6) If the instrument of variation or extension relates to a lease for which a record of title has been issued, the memorandum must be noted on the record of title.
- (7) If the interest of the concession holder is, at the time of registration of the instrument of variation or extension, subject to a mortgage, the instrument is not binding on the mortgagee unless they have consented to the variation or extension in writing in the instrument.

*When concession term, condition, etc, of no effect***14ZW When concession term, condition, etc, of no effect**

- (1) A term, condition, requirement, or other provision of a concession has no effect if it—
 - (a) contravenes the NCPS, any relevant area plan, or a standardised condition set by the Minister under **section 14ZT**; or
 - (b) allows, expressly or by implication, any action or default on the part of the concession holder in contravention of the NCPS, any relevant area plan, or a standardised condition.
- (2) A contravention of the NCPS, any relevant area plan, or a standardised condition is deemed to be a breach of a concession.

*Services provided to concession holders***14ZX Services provided to concession holders**

- (1) This section applies if a community service, benefit, or facility is provided by the Minister or the Director-General, whether within or outside a conservation area, for the benefit of concession holders who, under their concessions,—
 - (a) occupy any part of that conservation area; or
 - (b) undertake any activity within that conservation area.
- (2) The Minister may require a concession holder to—
 - (a) contribute towards the capital cost of providing and maintaining the service, benefit, or facility; and
 - (b) make an annual contribution to meet the cost of maintaining the service, benefit, or facility.
- (3) The Minister may—
 - (a) apportion contributions as the Minister thinks fit; and
 - (b) require contributions to be paid in a lump sum or over a period of years as the Minister thinks fit.

- (4) An amount payable by a concession holder under this section is—
 - (a) a debt due 3 months after the date on which the Minister or the Director-General, by written notice, demands payment; and
 - (b) recoverable by the Minister or Director-General in any court of competent jurisdiction.
- (5) If the amount owing is not paid by the due date,—
 - (a) the concession holder is deemed to be in breach of their concession; and
 - (b) interest is payable—
 - (i) from the due date until the amount owing is paid in full; and
 - (ii) at the rate fixed from time to time by the Minister.
- (6) The Minister may—
 - (a) exempt a concession holder from payment of the whole or any part of an amount owing under this section; or
 - (b) grant any other relief to a concession holder that the Minister considers appropriate in the circumstances.

Term of concessions

14ZY Term of concessions

Lease or licence

- (1) A lease or a licence may be granted for a term not exceeding 30 years (inclusive of any renewals permitted under the concession).
- (2) Despite **subsection (1)**, a lease or a licence may be granted for a term not exceeding 60 years if—
 - (a) there are exceptional circumstances; or
 - (b) the useful life of any fixed asset or structure of the activity is likely to be longer than 30 years; or
 - (c) the activity provides critical infrastructure.

Permit

- (3) A permit may be granted for a term not exceeding 10 years and is not renewable.

Easement

- (4) An easement may be granted for a term not exceeding 30 years.
- (5) Despite **subsection (4)**, the Minister may,—
 - (a) in exceptional circumstances, grant an easement for a term not exceeding 60 years:

- (b) if an easement provides a right of way access to a property to which there is no other practical access, grant the easement for the term that the Minister considers appropriate;
- (c) if an easement is for a public work (within the meaning of section 2 of the Public Works Act 1981), grant the easement for the reasonably foreseeable duration of that public work.

Contributions to costs

14ZZ Contributions to costs

- (1) The Minister must pay a contribution to the costs of persons who—
 - (a) are invited to make comments on a concession application; and
 - (b) fall within a prescribed class.
- (2) The Minister is not required to pay a contribution to the costs of any person who provides comments invited by way of public notice.
- (3) To offset the costs of making contributions under this section, the Minister may impose a charge on the relevant applicant or applicants.

Minister deemed registered owner

14ZZA Minister deemed registered owner

For the purpose of granting an easement over a conservation area, the Minister is deemed to be the registered owner of that conservation area.

Transfers, subleases, mortgages, etc

14ZZB Transfers, subleases, mortgages, etc

- (1) This section applies if a concession includes a right for the concession holder to transfer, sublease, sublicense, assign, mortgage, or otherwise deal with or dispose of their interest under the concession.
- (2) The concession holder may do so only with the Minister's consent.
- (3) The Minister may, in the public interest,—
 - (a) decline a request to consent to the dealing; or
 - (b) consent to the dealing subject to any conditions that the Minister considers appropriate.
- (4) Unless a concession expressly provides otherwise,—
 - (a) **sections 14G, 14H, 14I, and 14L** apply, with any necessary modifications, to a request for consent to a transfer:
 - (b) **sections 14D, 14G, 14K, 14Z, 14ZA(3), 14ZB, 14ZM, 14ZO, 14ZQ, 14ZS, 14ZT, and 14ZV and clause 3 of Schedule 3** apply, with any necessary modifications, to any other request.

- (5) **Subsection (2)** applies despite anything to the contrary in the concession.
- (6) This section is subject to **section 14ZZC** if the dealing is a transfer.

14ZZC Further matters relating to transfers

- (1) The Minister may consent to the transfer of a concession under **section 14ZZB** only if—
 - (a) the Minister is satisfied that there is a specific and unambiguous date, or method of calculating the date, on which the current concession holder's liabilities under the concession end and the new concession holder's responsibility for those liabilities begins; and
 - (b) the Minister is satisfied that the new concession holder—
 - (i) is who they claim to be; and
 - (ii) is solvent, financially sound, and able to pay any fees, costs, or other payments associated with or required under the concession (for example, activity fees or bonds); and
 - (iii) has the necessary capacity and capability to carry out the activity concerned to the standard required by the concession; and
 - (iv) has the necessary capacity and capability to satisfy the conditions of the concession for the remainder of its term; and
 - (c) in the Minister's view, there have not been or there are not serious or repeated breaches of any terms or conditions of any concession that was or is held by the new concession holder (including outstanding debt).
- (2) Despite **section 14ZZB(3)(b)**, the Minister is prohibited from amending the terms and conditions of a transferred concession other than for the purposes of—
 - (a) updating the concession holder's name and other relevant details to those of the new concession holder; or
 - (b) updating or including any conditions relating to the transfer of liabilities; or
 - (c) including any conditions for the purposes of the Minister being satisfied of the ongoing capacity and capability requirements of the new concession holder under **subsection (1)(b)(iii) and (iv)**.
- (3) In addition, but without limiting section 51, for the purposes of ensuring that a new concession holder will satisfy or continue to satisfy the matters in **subsection (1)**, the Minister may impose conditions on the transfer itself.
- (4) A transfer of a concession is not to be treated for any purpose as a new concession or an application for a new concession.
- (5) Nothing in this section precludes a new concession holder from pursuing a variation to the concession, once transferred, in a manner permitted to any other concession holder under this Part.

*Failure to execute or exercise concession***14ZZD Failure to execute or exercise concession**

- (1) The Minister may cancel the grant of a concession if the relevant person fails to sign the concession document within 1 month after being required by written notice to do so.
- (2) Unless exercised, a concession lapses on the expiry of—
 - (a) 2 years from the date on which the concession commences; or
 - (b) any longer period that the Minister allows.
- (3) Any money paid under the concession (including money paid under any of sections 60A to 60D) is forfeit to the Minister, unless the Minister directs otherwise.
- (4) For the purposes of section 39, any activity carried on by a concession holder under a concession that has been cancelled or has lapsed under this section is deemed to be an activity carried on without the authority of the Minister.

*Continuation of concessions due to expire***14ZZE Continuation if new concession granted**

- (1) This section applies if—
 - (a) a person holds a concession that is due to expire (the **existing concession**); and
 - (b) the person applies for a new concession for the same activity—
 - (i) no later than 6 months before the date on which the existing concession expires; or
 - (ii) if the Minister allows, within the period beginning 6 months before, and ending 3 months before, the date on which the existing concession expires; and
 - (c) the application includes all the information required under **section 14G**; and
 - (d) the person has paid the initial processing fee for the application; and
 - (e) the person has complied with the terms and conditions of the existing concession; and
 - (f) the Minister grants the person a new concession.
- (2) The person may continue to operate under their existing concession—
 - (a) during the period between submitting the application for the new concession and the Minister granting it; and
 - (b) until the date specified in **subsection (3) or (4)**, as the case may be.

Reconsideration not applied for

- (3) If the person does not apply for reconsideration, the person may continue to operate under the existing concession until the earlier of—
- (a) the date on which the new concession document is signed by the parties (if required by written notice); and
 - (b) the last date by which the person can apply for reconsideration.

Reconsideration applied for

- (4) If the person does apply for reconsideration, the person may continue to operate under the existing concession until the earlier of—
- (a) the date on which the new concession document is signed by the parties (if required by written notice); and
 - (b) the date on which the Minister completes the reconsideration.
- (5) In this section, **reconsideration** means reconsideration by the Minister under **section 14ZD(5)** of the conditions of the new concession.

14ZZF Continuation if new concession declined

- (1) This section applies if—
- (a) the circumstances in **section 14ZZE(1)(a) to (e)** apply to a person and their application for a new concession; but
 - (b) the Minister declines their application.
- (2) The person may continue to operate under their existing concession—
- (a) during the period between submitting the application for the new concession and the Minister declining it; and
 - (b) until the date specified in **subsection (3) or (4)**, as the case may be.

Reconsideration not applied for

- (3) If the person does not apply for reconsideration, the person may continue to operate under the existing concession until the last date by which the person can apply for reconsideration.

Reconsideration applied for

- (4) If the person does apply for reconsideration, the person may continue to operate under the existing concession until the date on which the Minister completes the reconsideration.
- (5) In this section, **reconsideration** means reconsideration of the Minister's decision under **section 14ZD(3)**.

14ZZG Continuation for reasons relating to allocation process

- (1) This section applies if—
- (a) either—

- (i) a person holds a concession that is due to expire (an **existing concession**) and the Minister initiates an allocation process under **subpart 3** that would be inconsistent with the person applying for a new concession were the application to be made under **subpart 2**; or
 - (ii) a person holds an existing concession in relation to which the Minister declined their application under **subpart 2** for a new concession on the grounds that the Minister intended to use an allocation process in relation to the activity to which the concession relates; and
 - (b) the person gives written notice to the Minister that the person wishes to continue to operate under the existing concession until the allocation process is completed—
 - (i) no later than 6 months before the date on which the existing concession expires; or
 - (ii) if the Minister allows, within the period beginning 6 months before, and ending 3 months before, the date on which the existing concession expires; and
 - (c) the person has complied with the conditions of the existing concession.
- (2) The person may continue to operate under the existing concession until—
- (a) the Minister completes the allocation process; and
 - (b) the earlier of the following is reached:
 - (i) the last date by which applicants participating in the allocation process can apply for reconsideration of the Minister’s decision under **section 14ZD**;
 - (ii) if 1 or more applicants apply for reconsideration, the date by which all reconsiderations have been completed.

Part 3C

Land exchanges and disposals

15 Application of this Part

- (1) This Part applies to land vested in the Crown and held under the Conservation Act 1987, the Reserves Act 1977, or the Wildlife Act 1953.
- (2) For this purpose, in this Part,—

disposal of land (or a similar expression) means the disposal of any land referred to in **subsection (1)**

land exchange (or similar expression) means the exchange of any land referred to in **subsection (1)** for other land.

- (3) ~~If a land exchange or a disposal of land relates to land held under the Reserves Act 1977 or the Wildlife Act 1953, this Part applies, including references to the natural resources and historic resources of land, with all necessary modifications:~~

Subpart 1—Land exchanges

15A Minister may authorise land exchanges

- (1) ~~The Minister may, by notice in the *Gazette*, authorise a land exchange in accordance with this subpart, but only if a net conservation benefit will result.~~
- (2) ~~Despite **subsection (1)**, the Minister must not authorise a land exchange if all or any of the following apply:~~
- ~~(a) the outgoing land is land described in **Schedule 5**;~~
 - ~~(b) the outgoing land is the subject of negotiations relating to a Treaty settlement claim;~~
 - ~~(c) the outgoing land is managed by a body established in accordance with the terms of a Treaty settlement and it has not agreed in writing to the land exchange;~~
 - ~~(d) the land exchange would trigger a right of first refusal or a right of offer or return, and the holder of the right of first refusal or right of offer or return has not agreed in writing to waive that right for the purposes of the exchange.~~
- (3) ~~**Subsection (2)** is subject to **section 15X** (which allows land exchanges for the purposes of minor boundary adjustments).~~
- (4) ~~A notice given under **subsection (1)** must specify the purposes for which the incoming land is to be held.~~
- (5) ~~Nothing in this section restricts or prevents the granting under this Act of a lease, licence, or easement over any land to which a land exchange may apply.~~

15B Director-General must consult and produce report on proposal

- (1) ~~The Director-General must invite written comments on a land exchange proposal from—~~
- ~~(a) Māori groups with relevant interests; and~~
 - ~~(b) any person with an interest in the outgoing land; and~~
 - ~~(c) if not solely the Department, any management body responsible for the outgoing land.~~
- (2) ~~The invitation must—~~
- ~~(a) include sufficient details about the proposal to allow an informed response; and~~

- (b) ~~specify the date by which comments must be received by the Director-General, being a date no earlier than 30 working days after the date on which the invitation is given.~~
- (3) ~~Following consultation, the Director-General must prepare a report for the Minister on the proposal.~~
- (4) ~~The report must include an analysis of the impact of the exchange on the rights and interests of Māori, including whether the outgoing land is likely to be subject to future Treaty settlement negotiations.~~
- (5) ~~The Director-General must provide the report to the Minister together with any comments received under **subsection (2)**.~~
- (6) ~~To avoid doubt, the Director-General is not required to seek comments from any other person on the proposal but may do so.~~
- (7) ~~This section is subject to **section 15I** (which relates to problematic proposals).~~
- 15C Minister must consider proposal**
- (1) ~~The Minister must consider each land exchange proposal for which the Director-General has provided a report and comments under **section 15B(5)**.~~
- (2) ~~In doing so, the Minister must—~~
 - (a) ~~consider—~~
 - (i) ~~the information provided by the Director-General; and~~
 - (ii) ~~the natural resources and historic resources of the incoming and outgoing land, including how threatened or abundant those resources are; and~~
 - (iii) ~~the extent of the net conservation benefit that would result from the exchange, if any; and~~
 - (iv) ~~the national and international significance of the outgoing land; and~~
 - (v) ~~the impact of the exchange on the rights and interests of Māori; and~~
 - (vi) ~~whether the outgoing land is likely to be subject to future Treaty settlement negotiations; and~~
 - (vii) ~~if relevant, the impact of the exchange on—~~
 - (A) ~~existing concession holders;~~
 - (B) ~~the management body responsible for the outgoing land; and~~
 - (viii) ~~the financial implications for the Crown; and~~
 - (ix) ~~whether the consequences of the land exchange would be practical to manage on an ongoing basis, including whether it would result~~

~~in an enclave of private land within any land held under this Act or an Act listed in Schedule 1; and~~

- ~~(x) the legal and financial liabilities, and health and safety risks, for the Crown associated with the exchange; and~~
- ~~(b) if authorising the exchange, be satisfied that—~~
 - ~~(i) the exchange would result in a net conservation benefit; and~~
 - ~~(ii) the outgoing land is vested in the Crown; and~~
 - ~~(iii) none of the prohibitions in **section 15A(2)** apply to the exchange.~~

Net conservation benefit

- ~~(3) For the purposes of this subpart, a **net conservation benefit** results if the natural resources and historic resources of the incoming land are assessed as being greater than those of the outgoing land.~~
- ~~(4) In carrying out an assessment, a like-for-like exchange is not necessarily required (for example, land containing a unique geological feature might be exchanged for land inhabited by protected wildlife so long as the weighing exercise favours the exchange). However, the following matters must be taken into account:~~
 - ~~(a) whether some or all of the incoming land has any existing legal protection;~~
 - ~~(b) whether the legal protection that the outgoing land enjoys will remain over part or all of that land;~~
 - ~~(c) whether some other legal protection will attach to part or all of the outgoing land (for example, a conservation covenant);~~
 - ~~(d) whether there is any undertaking from the owner of the incoming land to fund or carry out improvements to that land and, if so, the likely success of those improvements within a reasonable time frame (taking into account the ratio of the improvements compared to the financial value of the incoming land).~~
- ~~(5) The Minister may rely on any relevant information provided in the Director-General's report for the purposes of being satisfied that an exchange would result in a net conservation benefit.~~
- ~~(6) This section is subject to **section 15I** (which relates to problematic proposals).~~

15D Minister's decision

- ~~(1) The Minister's decision on a land exchange proposal must include the Minister's finding on whether the exchange results in a net conservation benefit.~~

Exchange authorised

- ~~(2) If the Minister authorises the exchange, the Minister must, in their decision,—~~

- (a) confirm that the outgoing land is vested in the Crown and none of the prohibitions in **section 15A(2)** apply to the exchange; and
 - (b) set out any conditions that the Minister intends to impose in relation to the exchange, including any status or encumbrance to be imposed on either or both the incoming land and the outgoing land (*see sections 15E to 15G*); and
 - (c) if relevant, state the management body to be responsible for the land.
- (3) The Minister—
- (a) is not obliged to maintain the same classification, status, or purpose for the incoming land as that of the outgoing land; and
 - (b) has absolute discretion regarding the appointment of any management body to be responsible for the incoming land (for example, the Minister may appoint a different body than that which had been responsible for the outgoing land).
- Exchange not authorised*
- (4) The Minister may refuse to authorise an exchange even if—
- (a) the Minister considers that the exchange would result in a net conservation benefit; or
 - (b) the Director-General has recommended that the exchange proceed; or
 - (c) the exchange otherwise appears beneficial to the Crown.
- Other matters*
- (5) Any decision of the Minister in relation to the classification, status, or purpose of the incoming land, or the appointment of any management body to be responsible for that land, is deemed to have been made in accordance with the relevant process under the legislation that would usually apply.
- 15E Minister may impose conditions on exchange**
- (1) The Minister may authorise a land exchange subject to any conditions that they consider appropriate, including those set out in **sections 15F and 15G**.
 - (2) Nothing in this section limits the powers of the Minister under section 51.
- 15F Minister may impose reservation, classification, etc**
- (1) The Minister may authorise a land exchange on the condition that either or both of the following apply:
 - (a) the incoming land be subject to a reservation, classification, interest, encumbrance, or other qualification (for example, as reserve under the Reserves Act 1977);
 - (b) the outgoing land be subject to an interest or encumbrance.
 - (2) Despite **subsection (1)**, the Minister may not classify incoming land as national park.

15G Minister may require payment or pay amount for exchange*Incoming land of lower value*

- (1) **Subsections (2) to (4)** apply if, in a land exchange, the incoming land is of lower market value than the outgoing land.
- (2) The Minister may impose a condition that the owner of the incoming land pay an amount of money to the Crown to offset the inequality.
- (3) Any money received must be paid into a Crown Bank Account and must be applied for the acquisition of land under this Act, the National Parks Act 1980, or the Reserves Act 1977.
- (4) However, if the outgoing land is reserve held under the Reserves Act 1977, any money received must be dealt with in accordance with section 83 of that Act.

Incoming land of higher value

- (5) **Subsection (6)** applies if, in a land exchange, the incoming land is of a higher market value than the outgoing land.
- (6) The Minister may undertake (on behalf of the Crown) that the Crown pay an amount of money to the owner of the incoming land to offset the inequality.

Separate from net conservation benefit payments

- (7) To avoid doubt, any monetary payment made or received under this section is independent of any obligation in relation to money payable for the purposes of ensuring that the land exchange results in a net conservation benefit.

15H Effect of exchange

- (1) Subject to any condition imposed under **section 15F**, outgoing land transferred under this subpart ceases to be land held under the Conservation Act 1987, the Reserves Act 1977, or the Wildlife Act 1953, as the case may be.
- (2) Nothing in section 40 of the Public Works Act 1981 applies to an exchange of land authorised under this subpart.
- (3) A land exchange authorised under **section 15A(1)** is not a disposal of land for the purposes of—
 - (a) a disposal of land under **subpart 2** (and, to avoid doubt, nothing in that subpart applies to the exchange);
 - (b) the NCPS or any area plan.

15I Director-General and Minister not required to deal with problematic proposals

- (1) The Director-General is not required to consult or produce a report under **section 15B** on a land exchange proposal if satisfied that the proposed exchange is clearly problematic (for example, if it involves land prohibited from being exchanged).

- (2) The Minister is not required to consider a land exchange proposal under ~~section 15C~~ if satisfied that the proposed exchange is clearly problematic (for example, if the exchange obviously would not result in a net conservation benefit).

Subpart 2—Disposals of land

~~15J~~ Disposals prohibited except under this subpart

- (1) No land to which this Part applies may be disposed of except in accordance with this subpart.
- (2) This section applies—
- (a) despite the State-Owned Enterprises Act 1986; but
 - (b) subject to the Public Works Act 1981.
- (3) Nothing in ~~subsection (1)~~—
- (a) restricts or prevents the granting under this Act of a lease, licence, or easement over any land that may be disposed of under this subpart; or
 - (b) affects any application for, or grant of, a concession under **Part 3B**.

~~15K~~ Minister may dispose of land

- (1) The Minister may dispose of land if—
- (a) the land is not important for the conservation of threatened species or threatened ecosystems, or both; and
 - (b) in the ecological district in which the land is located, the indigenous vegetation of the land, or the habitat of indigenous fauna present on the land, is not the best, or one of the best, examples of that type in relation to legally protected land in that ecological district.
- (2) Despite ~~subsection (1)~~, the Minister must not dispose of land if all or any of the following apply:
- (a) the land is land described in **Schedule 5**;
 - (b) the land is foreshore or an interest in foreshore;
 - (c) the land is the subject of negotiations relating to a Treaty settlement claim;
 - (d) the land is managed by a body established in accordance with the terms of a Treaty settlement and that body has not agreed in writing to the disposal;
 - (e) the disposal would trigger a right of first refusal or a right of offer or return, and the holder of the right of first refusal or right of offer or return has not agreed in writing to waive that right for the purposes of the disposal;

(f) ~~the Director-General recommends that the disposal not proceed (see section 15N).~~

- (3) **Subsection (2)** is subject to **section 15X** (which allows land disposals for the purposes of minor boundary adjustments).

15L Director-General must consult on proposal

Initial comments

- (1) ~~The Director-General must invite written comments on a land disposal proposal from—~~
- ~~(a) Māori groups with relevant interests; and~~
 - ~~(b) any person with an interest in the land; and~~
 - ~~(c) if not solely the Department, any management body responsible for the land.~~
- (2) ~~The invitation must—~~
- ~~(a) include sufficient details about the proposal to allow an informed response; and~~
 - ~~(b) specify the date by which comments must be received by the Director-General, being a date no earlier than 30 working days after the date on which the invitation is given.~~
- (3) ~~The Director-General may revise the proposal having considered any comments received.~~

Public comments

- (4) ~~The Director-General must then publicly notify the proposal or revised proposal, specifying the date by which public comments must be received by the Director-General, being a date no earlier than 30 working days after the date on which the invitation is given.~~
- (5) ~~However, the Director-General is not required to publicly notify a proposal if the proposal relates to a local purpose reserve and, were its reserve status to be revoked under section 24 of the Reserves Act 1977, the proposal to do so would not have to be publicly notified in accordance with that section.~~

Consultation

- (6) ~~To avoid doubt, the Director-General is not required to seek comments from any other person before the proposal is publicly notified, but may do so.~~
- (7) ~~This section is subject to **section 15V** (which relates to problematic proposals).~~

15M Hearings

- (1) ~~A submitter on a publicly notified disposal application has no right to be heard on their submission.~~
- (2) ~~However, the Minister may give the submitter the opportunity to be heard.~~

15N Director-General must produce report on proposal

- (1) Following consultation, the Director-General must prepare a report for the Minister.
- (2) The report must include—
 - (a) an analysis of the impact of the land disposal on the rights and interests of Māori, including whether the land to be disposed of is likely to be subject to future Treaty settlement negotiations; and
 - (b) the Director-General's recommendation on whether the proposal should proceed.
- (3) The Director-General must provide the report to the Minister together with—
 - (a) any comments received under **section 15L(1)**; and
 - (b) a summary of any comments received under **section 15L(4)**.
- (4) This section is subject to **section 15V** (which relates to problematic proposals).

15O Minister must consider proposal

- (1) The Minister must consider a land disposal proposal, but only if the report provided by the Director-General under **section 15N(3)** recommends that the disposal proceed.
- (2) In doing so, the Minister must—
 - (a) consider—
 - (i) all of the information provided by the Director-General under **section 15N(3)**; and
 - (ii) the natural resources and the historic resources of the land; and
 - (iii) how the preservation of those resources provide for their appreciation and recreational enjoyment by the public; and
 - (iv) how the land contributes to conserving indigenous biodiversity, including in relation to rarity, distinctiveness, representativeness, diversity, pattern, and ecological context; and
 - (v) the significance of any ecosystem services provided by the land; and
 - (vi) whether the natural resources and historic resources of the land are worthy of ongoing protection (for example, by way of covenant or easement); and
 - (vii) the effects on public access, including—
 - (A) the extent to which the land currently provides for public access; and

- (B) how that access might be addressed in conjunction with the disposal (for example, by securing easements over the land once disposed of); and
- (viii) the national and international significance of the land; and
- (ix) how the land came to be vested in the Crown and managed by the Department or other management body; and
- (x) the impact of the disposal on the rights and interests of Māori; and
- (xi) whether the land is likely to be subject to future Treaty settlement negotiations; and
- (xii) if relevant, the impact of the disposal on—
 - (A) existing concession holders;
 - (B) the management body responsible for the land; and
- (xiii) the financial implications for the Crown; and
- (b) if the disposal is to proceed, be satisfied that—
 - (i) the land is vested in the Crown; and
 - (ii) the requirements of **section 15K** are met.

15P Minister's decision on proposal

- (1) The Minister's decision on a land disposal proposal must include the Minister's findings on the matters in **section 15K(1)(a) and (b)**.

Disposal to proceed

- (2) If the Minister decides to proceed with the disposal, the Minister must also cover the following matters in their decision:
- (a) confirmation that the Director-General recommended that the proposal proceed;
 - (b) confirmation that the land is vested in the Crown and none of the prohibitions in **section 15K(2)** apply to the land;
 - (c) any conditions that the Minister intends to impose in relation to the disposal, including any interest or encumbrance to be imposed on the land once disposed of (*see section 15Q*).

Disposal not to proceed

- (3) The Minister may refuse to proceed with a disposal even if—
- (a) the Minister considers that the matters in **section 15K(1)(a) and (b)** are satisfied; or
 - (b) the Director-General has recommended that the disposal proceed; or
 - (c) the disposal otherwise appears beneficial to the Crown.

Other matters

- (4) For the purposes of being satisfied of the matters in **section 15K(1)(a) and (b)**, the Minister may rely on any relevant information provided in the Director-General's report.

15Q Minister may impose conditions

- (1) The Minister may dispose of land under this subpart subject to any conditions that the Minister considers appropriate.
- (2) Without limiting **subsection (1)**, the Minister may dispose of land on the condition that the land be subject to an interest or encumbrance (for example, a conservation covenant under section 27).
- (3) Despite **subsection (2)**, the Minister may not require disposed land to be national park.
- (4) Nothing in this section limits the powers of the Minister under section 51.

15R Disposal must be gazetted

As soon as practicable after a disposal of land, the Minister must publish in the *Gazette* a notice—

- (a) describing the land; and
- (b) specifying the interest in land disposed of (for example, the freehold estate); and
- (c) specifying the revenue received for its disposal (if any).

15S Disposal may be effected by transfer

- (1) A disposal of land under this subpart may be effected by transfer under the Land Transfer Act 2017.
- (2) The Registrar-General of Land must accept the transfer as conclusive evidence that the land is no longer required for the conservation or other purposes for which it was held.

15T Effect of disposal

- (1) Subject to any condition imposed under **section 15Q(2)**, land disposed of under this subpart ceases to be held under the Conservation Act 1987, the Reserves Act 1977, or the Wildlife Act 1953.
- (2) Nothing in section 42 of the Public Works Act 1981 applies to a land disposal under this subpart.

15U Proceeds from disposal

- (1) Any proceeds from a disposal of land must be paid into a Crown Bank Account and must be applied for either or both of the following:
- (a) acquiring land to be vested in the Crown and held under this Act, the National Parks Act 1980, or the Reserves Act 1977;

- (b) ~~expending on capital assets, including any associated operating expenditure, on land vested in the Crown and held under this Act, the National Parks Act 1980, or the Reserves Act 1977.~~
- (2) ~~However, if the Director-General has not yet recovered or, for any reason, is unable to recover any costs of the disposal, the proceeds must first be applied to covering those costs.~~
- (3) ~~Despite **subsection (1)**, if the land disposed of is reserve held under the Reserves Act 1977, any proceeds must be dealt with in accordance with section 82 of that Act.~~
- (4) ~~Nothing in this section limits or affects sections 60A to 60E.~~

15V Director-General and Minister not required to deal with problematic proposals

- (1) ~~The Director-General is not required to consult under **section 15L** or produce a report under **section 15N** if satisfied that a proposed disposal is clearly problematic (for example, if it involves land prohibited from being disposed of).~~
- (2) ~~The Minister is not required to consider a disposal proposal under **section 15O** if satisfied that the proposed disposal is clearly problematic.~~

Subpart 3—Provisions applying to land exchanges and disposals

15W Minister must consult other Ministers

~~Before making a decision on a land exchange or disposal of land proposal, the Minister must consult the Minister for Treaty of Waitangi Negotiations and the Minister for Māori Development.~~

15X Minor boundary adjustments

- (1) ~~The Minister may authorise a land exchange or dispose of land under this Part, including land to which **section 15A(2)** or **15K(2)** applies, for the purposes of making a minor boundary adjustment (for example, to align a boundary with a geological feature or an existing and long-standing fence line).~~
- (2) ~~However, the Minister may do so only if the outgoing land or land to be disposed of has no or low natural resources or historic resources.~~
- (3) ~~The Minister may authorise an exchange or disposal under this section—~~
 - (a) ~~without further authority than this section; and~~
 - (b) ~~without complying with any other provision of this Act or any other legislation, including (without limitation)—~~
 - (i) ~~any requirement to invite comments from any person in accordance with any provision of this Part; or~~
 - (ii) ~~any requirement to obtain the permission of any person in accordance with any provision of this Part.~~

- (4) However, if the outgoing land, or land to be disposed of, is managed by a body established in accordance with the terms of a Treaty settlement, the Minister must consult that body before exchanging or disposing of the land.

15Y Minister may decide not to proceed with exchange or disposal

- (1) The Minister may, at any stage, refuse to—
- (a) continue considering a land exchange or disposal proposal; or
 - (b) authorise a land exchange or dispose of land.
- (2) The Minister is not liable to any person for any loss or damage arising from the Minister acting under **subsection (1)**.

15Z Order in Council to amend Schedule 5

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister, amend **Schedule 5**.
- (2) However, no Order in Council may be made under this section that results in any land within a category of land described in **Schedule 5** being excluded from that schedule.
- (3) Before making a recommendation, the Minister must invite comments from those persons the Minister has reason to believe are representative of interests likely to be substantially affected by the Order in Council or representative of some aspect of the public interest.
- (4) An Order in Council made under this section is secondary legislation (see Part 3 of the Legislation Act 2019 for publication requirements).

15ZA Minister and Director-General may facilitate exchange or disposal

The Minister or the Director-General may, on behalf of the Crown, do anything that may be necessary to effect an exchange or disposal of land under this sub-part.

15ZB Registrar-General must give effect to exchanges and disposals

The Registrar-General of Land must make any entries in registers and do all other things as may be necessary to give effect to exchanges and disposals of land under this Part.

Part 3D

Visitor amenities areas

1615ZC Minister may set apart visitor amenities areas

- (1) The Minister may, by notice in the *Gazette*, set apart an area of land as a visitor amenities area within any of the following land that is vested in the Crown and managed or administered by the Department:
- (a) a conservation park:

- (b) a stewardship area:
- (c) a national park:
- (d) a reserve classified as—
 - (i) a recreation reserve under section 17 of the Reserves Act 1977:
 - (ii) a historic reserve under section 18 of the Reserves Act 1977:
 - (iii) a scenic reserve under section 19 of the Reserves Act 1977:
 - (iv) a government purpose reserve under section 22 of the Reserves Act 1977:
 - (v) a local purpose reserve under section 23 of the Reserves Act 1977.
- (2) The Minister may do so—
 - (a) on the Minister's own initiative; or
 - (b) on the written request of the Director-General.

16A15ZD Purpose of visitor amenities areas

- (1) The purpose of a visitor amenities area is to provide the public with recreational and public amenities and related services to further the use and enjoyment of land held under this Act or any Act listed in Schedule 1.
- (2) Without limiting **subsection (1)**,—
 - (a) recreational and public amenities include—
 - (i) toilets, visitor centres, accommodation, car parks, restaurants, and cafes; and
 - (ii) any other infrastructure that supports visitors and recreational activities; and
 - (b) related services include tour operator services, catering, merchandising, guiding, transportation, and equipment rental.

16B Director-General must prepare proposal documents

- (1) For any proposal to set apart a visitor amenities area, the Director-General must prepare the following:
 - (a) a document that identifies the boundaries of the land proposed to be set apart (a **VAA boundary document**); and
 - (b) a report on the proposed visitor amenities area (a **VAA report**); and
 - (c) a visitor amenities area chapter to be included in the affected area plan (a **VAA chapter**).
- (2) The VAA report—
 - (a) must—
 - (i) address the matters that the Minister is required to consider under **section 16E(2)(a)**; and

- (ii) include the Director-General's findings, with reasons, on the matters that the Minister must be satisfied of under **section 16E(2)(b)**; and
 - (b) may include any other information that the Director-General thinks relevant.
 - (3) The VAA boundary document, VAA report, and VAA chapter must be prepared in accordance with **section 16C**.
- 16C Director-General must consult on drafts of VAA boundary document, report, and chapter**
- (1) The Director-General must prepare drafts of the VAA boundary document, the VAA report, and the VAA chapter (the **draft documents**).
- Initial consultation*
- (2) The Director-General must invite written comments on the draft documents from—
 - (a) relevant iwi authorities; and
 - (b) if the land in which the VAA is proposed to be set apart is a national park, the Conservation Authority.
 - (3) The invitation to provide comments must—
 - (a) include a copy of each draft document; and
 - (b) specify the date by which comments must be received by the Director-General, being no earlier than the date that is 40 working days after the date on which the invitation is given.
 - (4) The Director-General may revise the draft documents after considering any comments received.
- Public consultation*
- (5) The Director-General must then publicly notify the draft documents (or revised documents, as the case may be).
 - (6) The notice must give instructions on how to access copies of the draft documents.
- Finalised documents to be provided to Minister*
- (7) After completing consultation, the Director-General must finalise the draft documents and provide them to the Minister together with—
 - (a) any comments received from the persons consulted under **subsection (2)**; and
 - (b) the Director-General's summary and recommendation from the public consultation (as required by section 49(2)(d)).

16D Hearings

- (1) A submitter on publicly notified draft documents has no right to be heard on their submission.
- (2) However, the Minister may give the submitter the opportunity to be heard.

16E Decision on proposal

- (1) The Minister may—
 - (a) set apart a visitor amenities area and include a VAA chapter in the relevant area plan; or
 - (b) refuse to set apart the area or include a chapter in the area plan; or
 - (c) return the proposal to the Director-General for re-submission with a direction as to which, if any, steps in the process the Director-General must repeat.
- (2) In making their decision, the Minister must—
 - (a) consider—
 - (i) the information provided by the Director-General under **section 16C(7)**; and
 - (ii) the potential impact of the proposal on rights and interests of Māori; and
 - (iii) the potential impact of the proposal on the affected conservation park, stewardship area, national park, or reserve (the **parent land**) as a whole; and
 - (iv) the relevant area plan; and
 - (v) any current concessions that may be affected by the proposal; and
 - (b) if agreeing to the proposal, be satisfied that—
 - (i) the location of the VAA is already, or is predicted to be, in an area of high visitor use within the parent land; and
 - (ii) there is no other area within the parent land where the adverse effects of setting apart a VAA would be significantly less; and
 - (iii) the amenities and services proposed to be provided could not reasonably be located outside of the parent land; and
 - (iv) the size of the VAA is appropriate for the facilities and services that are likely to be provided; and
 - (v) despite the development of the VAA within the parent land, the natural resources and historic resources will continue to be well represented in that or any adjacent land held under this Act or any Act listed in Schedule 1.

- (3) The Minister may proceed with a proposal regardless of whether the Minister's decisions on the location of the VAA or content of the VAA chapter will be inconsistent—
 - (a) with any other provisions of the affected area plan; or
 - (b) the purposes for, or principles under which, the conservation park, stewardship area, national park, or reserve is held.
- (4) The Minister may rely on the findings of the Director-General included in the VAA report for the purposes of being satisfied of the matters set out in **subsection (2)(b)**.
- (5) For the purposes of **subsection (2)(b)(v)**, if the parent land is held other than under this Act, the reference to natural resources and historic resources must be read with any necessary modifications in order to take into account the purpose and context of the relevant Act.

16F VAA chapter deemed part of area plan

- (1) As soon as practicable after the Minister sets apart a visitor amenities area under ~~section 16(1)~~ **section 15ZC(1)**, the Director-General must insert the VAA chapter (as set out in the Minister's decision) into the affected area plan.
- (2) On and from the date on which the chapter is inserted, the chapter is deemed to be part of the area plan and the plan as amended must be published and notified in accordance with **section 13H(8)**.

16G Effect of setting apart land as visitor amenities area

- (1) While an area of conservation park, stewardship area, national park, or reserve is set apart as a visitor amenities area, activities within that area may be authorised in accordance with the Act under which the land is held (whether by concession or otherwise) for the purpose set out in ~~section 16A~~ **section 15ZD** if to do so would be consistent with the VAA chapter of the relevant area plan.
- (2) To avoid doubt,—
 - (a) **subsection (1)** applies even if authorising the activity would be inconsistent with any other provision of that area plan; and
 - (b) the purposes for, or principles under which, that conservation park, stewardship area, national park, or reserve is held apply only so far as they are compatible with that authorisation.

16H Minister may alter or revoke visitor amenities area

- (1) The Minister may—
 - (a) alter the boundaries of a visitor amenities area; or
 - (b) revoke its status as a visitor amenities area.
- (2) For either of those purposes, this Part applies—

- (a) as if the boundary alteration or revocation were a proposal to set apart a visitor amenities area; and
 - (b) with any necessary modifications.
 - (3) Despite **subsection (2)**, if the proposal relates to revoking a visitor amenities area,—
 - (a) none of the requirements of this Part relating to a VAA chapter apply (for example, the Director-General is not required to prepare a draft VAA chapter as part of the revocation proposal); and
 - (b) **sections 16B(2)(a)(ii) and 16E(2)(b)** do not apply.
 - (4) However, if the Minister approves the proposal, on and from the date on which the revocation is notified in the *Gazette*, the VAA chapter in the affected area plan is deemed to be deleted from that plan and of no further effect.
- 16I Amendment to area plan VAA chapter without boundary adjustment**
- (1) This section applies if the Minister decides to amend the VAA chapter of an area plan without, at the same time, amending the boundaries of the visitor amenities area.
 - (2) The Minister must do so in accordance with **clause 2 of Schedule 3**.

Subpart 4—Amendment to Part 4

24 Section 23A amended (Amenity areas)

- (1) Replace the heading to section 23A with “**Natural character areas**”.
- (2) In section 23A, replace “amenity area” with “natural character area”.

Subpart 5—Amendment to Part 5

25 Section 26 repealed (Disposal of stewardship areas)

~~Repeal section 26.~~

Subpart 6—Amendment to Part 5C

26 Section 26ZZK amended (Persons authorised to take dogs into controlled dog area without dog control permit)

Replace section 26ZZK(2) and (3) with:

- (2) A person who uses a disability assist dog may, without being the holder of a dog control permit, take the dog into a controlled dog area.

Subpart 7—Amendments to Part 6

27 Section 33 amended (Receipts)

- (1) Replace the heading to section 33 with “**Payments to Crown or Minister**”.

- (2) After section 33(1), insert:

Grants and gifts

- (3) After section 33(3), insert:

Access levy money

- (4) A person who has collected access levy money on the Crown's behalf must pay the money to the Crown as specified in the regulations.
- (5) Levy money must be used only for the purposes in **section 48D(2)**.
- (6) The amount of any unpaid levy is recoverable in any court of competent jurisdiction as a debt due to the Crown.

28 Section 34 amended (Annual reports)

After section 34(1), insert:

- (1A) The Director-General must include the following information in the report:
- (a) the amount of access levy money collected for each area to which the levy applies for each financial year;
 - (b) details of how the levy money has been spent.

29 Section 38 amended (Hunting, etc)

- (1) Replace section 38(1) and (2) with:

- (1) The Minister may issue a hunting permit for hunting within a conservation area, national park, or reserve vested in the Crown and managed or administered by the Department if—
- (a) to do so is—
 - (i) consistent with the NCPS; and
 - (ii) in accordance with the relevant area plan; and
 - (b) the Minister has considered the safety of members of the public who are likely to be on that land or other land nearby (whether or not public land).
- (2) The Minister may issue a permit—
- (a) on application or otherwise; and
 - (b) unconditionally or subject to any conditions that the Minister thinks fit.
- (2A) If issued on application, a hunting permit—
- (a) is deemed to be issued once the applicant—
 - (i) completes the permit application; and
 - (ii) accepts the conditions attached to the permit (if any); and
 - (iii) pays the prescribed fee (if any); and
 - (b) takes effect from the date on which the last of the requirements in **paragraph (a)** is fulfilled.

- (2) After section 38(8), insert:
- (9) This section does not limit or affect any other legislation that provides an offence for hunting (however described) on land to which this section applies.
- (10) In this section, **hunting permit** means a permit (however described)—
- (a) that authorises an activity within a conservation area, national park, or reserve vested in the Crown and managed or administered by the Department; and
 - (b) without which carrying out that activity would be an offence under—
 - (i) subsection (4); or
 - (ii) section 60(4) or 71D(2) of the National Parks Act 1980; or
 - (iii) section 94(1)(i) and (4) or 105B(1) of the Reserves Act 1977.

30 Section 48 amended (Regulations)

- (1) In section 48(1)(c), replace “natural or” with “natural resources or”.
- (2) In section 48(1)(e), replace “natural or” with “natural resource or”.
- (3) In section 48(2)(d), replace “refund” with “exemption, refund, reduction,”.
- (4) In section 48(6), replace “refunds” with “exemptions, refunds, reductions,”.
- (5) In section 48(6)(a), replace “a refund” with “an exemption, refund, reduction,”.

31 Section 48AA amended (Regulations prescribing time limits for applications for concessions)

- (1) In section 48AA(1), after “following purposes”, insert “if **Part 3B** does not already prescribe a time limit for that purpose”.
- (2) In section 48AA(1)(a), delete “, if **Part 3B** does not already prescribe a time limit for doing that thing”.

32 Section 48A amended (Special regulations relating to freshwater fisheries)

- (1) In section 48A(1)(g), replace “suspension,” with “and suspension of licences and the”.
- (2) In section 48A(5)(b), replace “Treaty settlement legislation” with “a Treaty settlement Act”.

33 New sections 48D and 48E inserted

After section 48C, insert:

48D Regulations relating to access levies

- (1) Regulations may be made under section 48(1)(k) providing for levies payable to the Crown by international visitors when accessing levy areas.

Purpose of levies

- (2) The purpose of the levies is to fund, or contribute to the funding of,—

- (a) maintaining and enhancing visitor experiences on land managed or administered by the Department; and
- (b) collecting the levies.

Levy areas

- (3) An area may be specified as a levy area only if it—
 - (a) consists of all, or part of,—
 - (i) a conservation area; or
 - (ii) a national park; or
 - (iii) a reserve; and
 - (b) is managed or administered by the Crown.
- (4) An area may be specified as a levy area if, in the opinion of the Minister,—
 - (a) the benefits of a levy for the area exceed the levy's operational costs; and
 - (b) the area—
 - (i) has high international visitor numbers; or
 - (ii) has high costs for visitor infrastructure and facilities.
- (5) Levy areas may be specified as geographic areas or as specific paths, tracks, or roads.

Content of regulations

- (6) The regulations may—
 - (a) specify levy areas in accordance with **subsections (3) to (5)**;
 - (b) specify the class or classes of international visitors that are required to pay a levy;
 - (c) specify the amount of levies or the method of calculating or ascertaining the amount of levies;
 - (d) provide for the payment and collection of levies, including—
 - (i) providing for the Director-General to authorise third parties to collect levies on the Crown's behalf;
 - (ii) providing for how levy money collected by third parties is to be held, and when and how it is to be transferred to the Crown;
 - (iii) providing for the treatment of interest generated by levy money collected by third parties;
 - (iv) providing for data recording and reporting requirements for third party collection of levies;
 - (e) provide different levies for different levy areas and for different classes of international visitors;

- (f) authorise the Director-General to refund or waive, in whole or in part and on the conditions that may be prescribed, payment of the levy by named persons.

Consultation

- (7) Before recommending that regulations be made, the Minister must consult the following:
 - (a) Māori groups with relevant interests:
 - (b) local communities:
 - (c) holders of concessions that may be affected by the levy.
- (8) **Subsection (7)** does not apply to regulations that amend other regulations if the Minister is satisfied that—
 - (a) the amendments are only correcting minor errors; or
 - (b) the amendments are otherwise of a minor or technical nature only; or
 - (c) the amendments relate solely to adjustments to levy amounts to take into account any changes in the CPI.
- (9) A failure to comply with **subsection (7)** does not affect the validity of the regulations.

Review

- (10) The Minister must review the levy regulations every 5 years.

Definition

- (11) In this section, **CPI** means the Consumers Price Index (all groups) published by Statistics New Zealand or, if that index ceases to be published, any measure certified by the Government Statistician as being equivalent to that index.

48E Regulations relating to concessions

- (1) Regulations may be made under section 48—
 - (a) to prescribe, for the purposes of **section 14ZP**, activity fees payable by concession holders:
 - (b) to prescribe, for the purposes of **section 14ZT**, standardised conditions for existing concessions:
 - (c) to prescribe, for the purposes of **section 14ZZ**, matters relating to the Minister's obligation to contribute to the costs of persons invited to make comments on a concession application:
 - (d) to identify the concessions or class of concessions in relation to which the Minister, during their currency, must not—
 - (i) consider an application for a concession for the same activity under **subpart 2 of Part 3B** (unless the applicant is the current concession holder); or

- (ii) initiate an allocation process for the same activity under **subpart 3 of Part 3B**.
- (2) Regulations made for the purposes of **subsection (1)(a)** may—
 - (a) specify the amount of the fees or charges, or a method of ascertaining the amount of the fees or charges; and
 - (b) authorise the Minister to refund or waive, in whole or in part, and on any conditions, payment of a fee payable by any person or class of persons.
- (3) Regulations made for the purposes of **subsection (1)(b)** may set standardised conditions that—
 - (a) must be imposed on a concession; or
 - (b) require the Minister and a concession holder, by agreement, within the time frame specified in the regulations, to choose 1 option from a specified list of alternatives; or
 - (c) require a condition of a nature specified in the regulations be included in a concession but leaving the manner in which that condition must be fulfilled to the agreement of the Minister and a concession holder within the time frame specified in the regulations.
- (4) Regulations made for the purposes of **subsection (1)(c)** may—
 - (a) set the method by which the amount of the contribution payable by the Minister is to be calculated or set the amount of the contribution:
 - (b) specify classes of person to be eligible for a contribution to their costs:
 - (c) set out the process required to be followed by any eligible person to claim a contribution to their costs.
- (5) Regulations made for the purposes of **subsection (1)(d)**—
 - (a) must—
 - (i) identify the concessions or class of concessions to which the regulations will apply; and
 - (ii) set out how their currency period is to be determined, whether by specific date, calculation, the happening of a particular event, or any other method that provides a measurable time frame; and
 - (b) may provide for any other matter necessary for giving full effect to the purposes for which the regulations may be made.
- (6) To avoid doubt, regulations made for the purposes of **subsection (1)(a)** may authorise the Minister to set different fees or pricing models for variations in relation to the same activity (for example, when carried out at different times of the year, on a different scale, or in different locations).
- (7) The Minister must review any regulations made for the purposes of **subsection (1)(a)** at least every 3 years.

- (8) The Minister is deemed to have complied with any provision of the Commerce Act 1986 that relates to restrictive trade practices or the promoting of competition during the period of any prescribed concession.

34 Section 49 amended (Public notice and rights of objection)

- (1) Replace the heading of section 49 with “**Rights of objection**”.
- (2) Repeal section 49(1).
- (3) In section 49(2), replace “Where the Minister” with “Subject to any other provision of this Act to the contrary, where the Minister or the Director-General”.

Subpart 8—Amendments to Part 6A

35 New section 51UA inserted (Offence relating to international visitor access levy)

After section 51U, insert:

51UA Offence relating to international visitor access levy

- (1) An international visitor must pay an access levy before accessing an area for which a levy has been prescribed in accordance with **section 48D**.
- (2) A person who fails to comply with **subsection (1)** commits an infringement offence.

36 Section 51X amended (Infringement notices)

- (1) Replace section 51X(2) and (3) with:
- (2) An infringement notice must be served in accordance with **section 51YA**.
- (2) Replace section 51X(4)(c) with:
- (c) how the infringement fee may be paid; and

37 New section 51YA inserted (Service of infringement notices and reminder notices)

After section 51Y, insert:

51YA Service of infringement notices and reminder notices

Service of infringement notices

- (1) An issuer may serve an infringement notice, or a copy of it, by—
- (a) delivering it to the person or, if the person refuses to accept it, bringing it to the person’s notice; or
- (b) leaving it for the person at the person’s last known place of residence with another person who appears to be of or over the age of 14 years; or
- (c) leaving it for the person at the person’s place of business or work with another person; or

- (d) sending it to the person by prepaid post addressed to the person's last known place of residence or place of business or work; or
 - (e) sending it to the electronic address of the person; or
 - (f) if the person is a holder of a land transport document, sending it to the person—
 - (i) by post addressed to the last address the person provided for service for the purposes of that land transport document; or
 - (ii) by electronic means at their electronic address.
- (2) Unless the contrary is shown,—
- (a) an infringement notice (or a copy of it) sent by prepaid post to a person under **subsection (1)** is to be treated as having been served on that person on the fifth working day after the date on which it was posted; and
 - (b) an infringement notice sent to a valid electronic address is to be treated as having been served at the time the electronic communication first entered an information system that is outside the control of the issuer.

Service of reminder notices

- (3) Despite section 24(1)(e) of the Summary Proceedings Act 1957, a reminder notice may be served on a person for the purposes of section 21(2) of that Act by serving the notice in accordance with **subsection (1)(e) or (f)(ii)** in addition to the other modes of service set out in section 24(1) of that Act and without otherwise limiting or affecting the operation of section 24 of that Act.

Defined terms

- (4) In this section, unless the context otherwise requires,—
- electronic address**, in relation to a person, means—
- (a) an electronic address that the person has given to an issuer; or
 - (b) otherwise, the person's last known electronic address
- information system** means a system for producing, sending, receiving, storing, displaying, or otherwise processing electronic communications
- land transport document** means a licence, permit, approval, authorisation, exemption, certificate, or similar document issued under one of the following Acts:
- (a) the Land Transport Act 1998;
 - (b) the Road User Charges Act 2012;
 - (c) the Government Roding Powers Act 1989.

Subpart 9—Amendments to Part 7

38 Section 58 amended (Delegation of powers by Director-General)

In section 58(3)(c), after “under”, insert “clause 6 of Schedule 3 of”.

39 Section 60B amended (Director-General may recover certain costs)

After section 60B(8), insert:

- (9) This section is subject to **section 60BA**.

40 New section 60BA inserted (Director-General may recover costs while dealing with matter)

After section 60B, insert:

60BA Director-General may recover costs while dealing with matter

- (1) The Director-General may require a person who, under section 60B(1), is required to pay the direct and indirect costs of dealing with a matter on its completion to instead pay those costs while the matter is being dealt with.
- (2) The Director-General may require payment of those costs—
 - (a) at any time while the matter is being dealt with; and
 - (b) from time to time.
- (3) Any costs payable under this section are non-refundable, even if the matter is not fully dealt with or the thing sought is not attained (for example, an application fails a step in the relevant process or is not granted at the end of that process).
- (4) Without limiting **subsection (2)**, the Director-General may require an applicant to pay costs at any time after a concession application has passed its completeness check under **section 14I**.
- (5) In this section,—

completion includes when a matter is abandoned or otherwise no longer proceeding

matter means a matter dealt with under this Act that falls within any category described in section 60B(1)(a) or (b).

41 Section 60C amended (Indirect applications)

In section 60C, replace “section 60B shall” with “sections 60B and **60BA**”.

Subpart 10—Amendments to Part 8

42 Section 62 amended (Certain land to be managed as if it is stewardship area)

- (1) In the heading to section 62, replace “to be managed as if it is” with “declared to be”.
- (2) In section 62(1), replace “shall, until it is declared under section 7(1) to be held for conservation purposes, be deemed to be held under this Act for conservation purposes; but neither it nor any interest in it shall be disposed of” with “is declared to be held for conservation purposes”.

43 Section 65 amended (Amendments and savings)

Repeal section 65(1) to (4).

Subpart 11—Amendments to schedules

44 Schedule 1AA amended

In Schedule 1AA,—

- (a) insert the Part set out in **Schedule 1** of this Act as the last Part; and
- (b) make all necessary consequential amendments.

45 Schedules 2 and 3 replaced

Replace Schedules 2 and 3 with the **Schedules 2 and 3** set out in **Schedule 2** of this Act.

46 Schedule 4 amended

In Schedule 4, third column, replace “Amenity Area” with “Natural Character Area” in each place.

47 ~~New Schedule 5 inserted~~

~~After Schedule 4, insert the **Schedule 5** set out in **Schedule 3** of this Act.~~

Subpart 12—Consequential and minor amendments

48 Consequential and minor amendments to principal Act

Amend the principal Act as set out in **Part 1 of Schedule 6**.

Part 2

Consequential amendments to other legislation

Subpart 1—Amendments to National Parks Act 1980

49 Principal Act

This subpart amends the National Parks Act 1980.

50 Section 2 amended (Interpretation)

- (1) In section 2, replace the definition of **activity** with:

activity includes—

- (a) the construction, maintenance, use, or occupation of any facility or structure associated with the activity; and
- (b) a trade, business, or occupation; and
- (c) the passive use of a park for gain or reward

- (2) In section 2, insert in their appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987
National Conservation Policy Statement or **NCPS** has the meaning given in section 2(1) of the Conservation Act 1987

- (3) In section 2, replace the definition of **concession** with:
- concession** means a lease, licence, permit, or easement granted under section 49 for an activity
- (4) In section 2, repeal the definitions of **concessionaire**, **conservation management strategy**, and **management plan**.

51 New section 3A inserted (Transitional, savings, and related provisions)

After section 3, insert:

3A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in **Schedule 1AA** have effect according to their terms.

Amendments to Part 1

52 Section 4 amended (Parks to be maintained in natural state, and public to have right of entry)

In section 4(2)(e), after “provisions of this Act”, insert “, **section 11(1)** of the Conservation Act 1987,”.

53 Section 5 amended (Indigenous plants and animals to be preserved)

In section 5(3), replace “the management plan for the park” with “the area plan covering the park”.

54 Section 5A amended (Introduction of biological organisms)

Replace section 5A(3)(b) and (c) with:

- (b) the National Conservation Policy Statement; or
- (c) any area plan.

55 Section 13 amended (Permits for access to specially protected areas)

In section 13(4), replace “the management plan for the park” with “the area plan covering the park”.

56 Section 14 amended (Wilderness areas)

- (1) In section 14(1), replace “a conservation management strategy or management plan” with “an area plan”.
- (2) In section 14(3)(b), replace “any general policy statement, conservation management strategy, or management plan having effect in relation to the area” with “the National Conservation Policy Statement or the area plan covering the wilderness area”.

- (3) In section 14(4)(a), replace “the conservation management strategy or management plan for the area” with “the area plan covering the wilderness area”.

57 Section 14A amended (Special provisions relating to wilderness areas under Reserves Act 1977 or Conservation Act 1987)

Replace section 14A(3)(a) with:

- (a) the Director-General (in preparing the first area plan covering the new park), and the Board and the Authority (in providing comments on that plan) must consider whether or not—
 - (i) the area should continue to be a wilderness area:
 - (ii) any boundary adjustments should be made to the area:

58 Section 15 repealed (Amenities areas)

Repeal section 15.

59 Section 16 amended (Plans of national parks)

- (1) In section 16, replace “amenities area” with “visitor amenities area” in each place.
- (2) After section 16(5), insert:
- (6) In this section, **visitor amenities area** means any area of a park set apart under ~~section 16~~ **section 15ZC** of the Conservation Act 1987 as a visitor amenities area.

Amendment to Part 2

60 Section 18 amended (Functions of Authority)

Repeal section 18(1)(a), (b), and (d).

Amendments to Part 3

61 Section 30 amended (Functions of Boards)

- (1) Repeal section 30(1)(a).
- (2) In section 30(1)(b), replace “management plans for national parks” with “area plans covering national parks”.
- (3) In section 30(1)(d), replace “the general policies for national parks” with “the National Conservation Policy Statement as it relates to national parks”.
- (4) In section 30(1)(f)(i), replace “management plan for a park” with “area plan covering a park”.

Amendments to Part 5

62 Section 43 amended (Parks to be administered by Department)

Replace section 43(1)(a) to (b) with:

- (a) the National Conservation Policy Statement; and
- (b) area plans—

63 Sections 44 to 48 and cross-heading repealed

Repeal sections 44 to 48 and the cross-heading above section 44.

64 Section 49 amended (Concessions)

- (1) In section 49(3), delete “(other than a path or track)”.
- (2) After section 49(3), insert:
 - (3A) However, the Minister may only impose a charge for a person’s use of paths or tracks in a park if the person is—
 - (a) an international visitor (in which case they may be required to pay an access levy in accordance with **section 11(1)** of the Conservation Act 1987); or
 - (b) a concession holder (in which case they may be charged in accordance with **Part 3B** of the Conservation Act 1987).
- (3) Replace section 49(4) with:
 - (4) A concession holder may, to the extent that their concession allows, impose a reasonable charge for the use of any facilities—
 - (a) in or in relation to the part of the park to which their concession applies; and
 - (b) that are provided by them or the Minister.
- (4) In section 49(5), replace “conservation management strategy or management plan (if any)” with “area plan”.

65 Section 50 amended (Accommodation within parks)

- (1) In section 50(1), replace “the management plan for a park” with “the area plan covering a park”.
- (2) In section 50(4),—
 - (a) replace “Notwithstanding subsection (1), the” with “The”; and
 - (b) replace “either of those subsections” with “subsection (1)”.
- (3) Replace section 50(5) with:
 - (5) While a lease or licence granted under subsection (4) is in force, the Minister must have regard to the area plan covering the park before granting—
 - (a) a renewal of that lease or licence; or
 - (b) a new lease or licence in place of that lease or licence.

66 Section 51 amended (Farming within parks)

In section 51(2), replace “management plan for the park” with “area plan covering the park”.

67 Section 51A amended (Other activities in parks)

Replace section 51A(2) with:

- (2) The Minister must not do, or authorise a person to do, any thing that is inconsistent with the area plan covering the park.

68 Section 55 amended (Roads within park)

In section 55(2), replace “the management plan for a park” with “the area plan covering the park”.

69 Section 56 amended (Bylaws)

In section 56(1), replace “the management plan for any park” with “an area plan covering any park”.

*Amendments to Part 5A***70 Section 56C amended (Requirements in relation to dog control permits)**

- (1) Replace section 56C(1)(c) with:

- (c) the National Conservation Policy Statement and any area plan covering the park:

- (2) In section 56C(2)(b)(ii), replace “Act or the relevant management strategy or management plan” with “Act, the NCPS, or the area plan covering the park”.

*New Schedule 1AA inserted***71 New Schedule 1AA inserted**

Insert the **Schedule 1AA** set out in **Schedule 4** of this Act as the first schedule to appear after the last section of the principal Act.

Subpart 2—Amendments to Reserves Act 1977**72 Principal Act**

This subpart amends the Reserves Act 1977.

73 Section 2 amended (Interpretation)

- (1) In section 2(1), replace the definition of **activity** with:

activity includes—

- (a) the construction, maintenance, use, or occupation of any facility or structure associated with the activity; and
- (b) a trade, business, or occupation; and

- (c) the passive use of a reserve vested in the Crown for gain or reward
- (2) In section 2(1), insert in their appropriate alphabetical order:
- area plan** has the meaning given in section 2(1) of the Conservation Act 1987
- National Conservation Policy Statement** has the meaning given in section 2(1) of the Conservation Act 1987
- reserve management plan** means a management plan for a reserve approved under section 41
- (3) In section 2(1), replace the definition of **concession** with:
- concession** means a lease, licence, permit, or easement granted under section 59A for an activity
- (4) In section 2(1), repeal the definitions of **concessionaire**, **conservation management plan**, and **conservation management strategy**.

74 New section 2A inserted (Transitional, savings, and related provisions)

After section 2, insert:

2A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in **Schedule 1AA** have effect according to their terms.

Amendments to Part 2

75 ~~Section 15 amended (Minister may authorise exchange of reserves for other land)~~

- (1) ~~In the heading to section 15, after “exchange of”, insert “vested”.~~
- (2) ~~Replace section 15(1) with:~~
- (1) ~~The Minister may, by notice in the *Gazette*, authorise the exchange of the land comprised in any reserve vested in an administering body, or any part of the reserve, for any other land to be held for the purposes of that reserve.~~
- (1A) ~~However, the Minister may do so only if the administering body has passed a resolution requesting the exchange.~~
- (3) ~~Replace section 15(3) with:~~
- (3) ~~The Minister and the administering body may do all things necessary to effect an exchange authorised under this section, including paying or receiving any money by way of equality of exchange.~~
- (4) ~~In section 15(6), replace “Crown or by the administering body, as the case may be,” with “administering body”.~~
- (5) ~~After section 15(8), insert:~~
- (9) ~~See **Part 3C** of the Conservation Act 1987 (including **section 15** and **sub-part 1** of that Part) in relation to exchanging other reserve land.~~

*Part 2A repealed***76 Part 2A repealed**

Repeal Part 2A.

*Amendments to Part 3***77 Section 16A amended (Application of section 16 to nature and scientific reserves after commencement of Crown Minerals Amendment Act 2013)**

Replace section 16A(1)(b) with:

- (b) all nature and scientific reserves created after the commencement of that Act must be classified in accordance with—
 - (i) this section, if the land is currently a reserve; or
 - (ii) **section 8(6)** of the Conservation Act 1987, if the land is currently a conservation area within the meaning of section 2(1) of that Act.

78 Section 17 amended (Recreation reserves)

In section 17(2)(a), after “subject to”, insert “**section 11(1)** of the Conservation Act 1987, to”.

79 Section 18 amended (Historic reserves)

In section 18(2)(b), after “subject to”, insert “**section 11(1)** of the Conservation Act 1987, to”.

80 Section 19 amended (Scenic reserves)

- (1) In section 19(2)(b), after “subject to”, insert “**section 11(1)** of the Conservation Act 1987, to”.
- (2) In section 19(3)(b), after “subject to”, insert “**section 11(1)** of the Conservation Act 1987, to”.

81 Section 24 amended (Change of classification or purpose or revocation of reserves)

After section 24(11), insert:

(11A) Nothing in this section applies to the setting apart of an area of land within a reserve as a visitor amenities area under **Part 3D** of the Conservation Act 1987, any alteration to the boundaries of that area, or its revocation as a visitor amenities area.

~~(11B) Nothing in this section applies to an exchange of any reserve or disposal of any reserve under **Part 3C** of the Conservation Act 1987.~~

82 Section 40 amended (Functions of administering body)

In section 40(1), after “this Act”, insert “and the National Conservation Policy Statement”.

83 Section 40A replaced (Conservation management strategies)

Replace section 40A with:

40A Reserves managed by Department

- (1) All reserves administered and managed by the Department under this Act must be administered and managed in accordance with the National Conservation Policy Statement and area plans.
- (2) Nothing in section 41 applies to a reserve administered and managed by the Department.

84 Section 40B repealed (Conservation management plans in respect of reserves administered by Department)

Repeal section 40B.

85 Section 41 amended (Management plans)

Replace the heading to section 41 with “Reserve management plans”.

86 Section 44 amended (Unauthorised use of reserve)

In section 44(1)(e), replace “management plans prepared under section 41 and for the time being in force” with “reserve management plans”.

87 Section 47 amended (Wilderness areas)

In section 47(5)(a), replace “conservation management strategy or conservation management plan or other management plan for the area” with “area plan, freshwater fisheries management plan, sports fish and game management plan, or reserve management plan covering the area”.

88 Section 48A amended (Use of reserve for communications station)

In section 48A(4), replace “a management plan approved for the reserve” with “the reserve management plan”.

89 Section 51A amended (Introduction of biological control organisms)

Replace section 51A(3)(b) and (c) with:

- (b) the National Conservation Policy Statement; or
- (c) any area plan or reserve management plan covering that reserve.

90 Section 54 amended (Leasing powers in respect of recreation reserves (except farming, grazing, or afforestation leases))

- (1) Replace section 54(1A)(c) with:

- (c) there is a reserve management plan for the reserve; and
- (2) In section 54(1A)(d), replace “management plan” with “reserve management plan”.
- (3) In section 54(2A)(a), replace “approved management plan for the reserve” with “reserve management plan”.
- 91 Section 56 amended (Leasing powers in respect of scenic reserves)**
In section 56(3)(a), replace “approved management plan for the reserve” with “reserve management plan”.
- 92 Section 57 amended (Powers in respect of nature reserves)**
In section 57(8), replace “approved conservation management strategy, conservation management plan, or management plan for the reserve” with “area plan or reserve management plan covering the reserve”.
- 93 Section 58A amended (Leasing powers in respect of historic reserves)**
In section 58A(3)(a), replace “approved management plan for the reserve” with “reserve management plan”.
- 94 Section 59 amended (Powers in respect of scientific reserves)**
In section 59(8), replace “approved conservation management strategy, conservation management plan, or management plan for the reserve” with “area plan or reserve management plan covering the reserve”.
- 95 Section 59A amended (Granting of concessions on reserves administered by Crown)**
- (1) In the heading to section 59A, replace “administered by” with “vested in”.
- (2) In section 59A(2), delete “(other than a path or track)”.
- (3) After section 59A(2), insert:
- (2A) However, the Minister may only impose a charge for a person’s use of paths or tracks in a reserve if the person is—
- (a) an international visitor (in which case they may be required to pay an access levy in accordance with **section 11(1)** of the Conservation Act 1987); or
- (b) a concession holder (in which case they may be charged in accordance with **Part 3B** of the Conservation Act 1987).
- (4) In section 59A(3), replace “any conservation management strategy or conservation management plan shall be read as if it were a reference to a management plan approved under section 41” with “an area plan must be read as if it were a reference to a reserve management plan”.
- (5) Replace section 59A(4) with:

- (4) A concession holder may, to the extent that their concession allows, impose a reasonable charge for the use of any facilities—
- (a) in or in relation to the part of the reserve to which their concession applies; and
 - (b) that are provided by them or the Minister.
- (6) In section 59A(5), replace “the relevant conservation management strategy or conservation management plan (if any)” with “the area plan covering the reserve”.
- 96 Section 73 amended (Leasing of recreation reserves for farming, grazing, afforestation, or other purposes)**
- In section 73(3A)(b)(i),—
- (a) replace “a conservation management strategy or conservation management plan” with “an area plan”; and
 - (b) replace “a management plan approved under section 41 of this Act” with “a reserve management plan”.

Amendments to Part 5

- 97 Section 94 amended (Offences on reserves)**
- In section 94(1)(h), replace “concessionaire” with “concession holder”.
- 98 Section 105B amended (Unauthorised actions in reserves)**
- In section 105B(1)(j), replace “concessionaire” with “concession holder”.
- 99 Section 114 amended (Variation of covenants, terms, and conditions in leases and licences)**
- In section 114(1), replace “section 17ZC” with “**section 14ZV**”.

~~New Schedule 1AA inserted~~

~~100 New Schedule 1AA inserted~~

~~Insert the **Schedule 1AA** set out in **Schedule 5** of this Act as the first schedule to appear after the last section of the principal Act.~~

Subpart 3—Amendments to Marine Mammals Protection Act 1978

101 Principal Act

This subpart amends the Marine Mammals Protection Act 1978.

102 Section 2 amended (Interpretation)

- (1) In section 2(1), insert in their appropriate alphabetical order:

area plan has the same meaning given in section 2(1) of the Conservation Act 1987

National Conservation Policy Statement has the same meaning given in section 2(1) of the Conservation Act 1987

- (2) In section 2(1), repeal the definitions of **conservation management plan** and **conservation management strategy**.

103 Section 3A amended (Department of Conservation to administer marine mammals and sanctuaries)

Replace section 3A(a) and (b) with:

- (a) the National Conservation Policy Statement; and
- (b) area plans.

104 Sections 3B to 3D repealed

Repeal sections 3B to 3D.

Subpart 4—Amendments to Marine Reserves Act 1971

105 Principal Act

This subpart amends the Marine Reserves Act 1971.

106 Section 2 amended (Interpretation)

- (1) In section 2, insert in their appropriate alphabetical order:

area plan has the same meaning as in section 2(1) of the Conservation Act 1987

National Conservation Policy Statement has the same meaning as in section 2(1) of the Conservation Act 1987

- (2) In section 2, repeal the definitions of **conservation management plan** and **conservation management strategy**.

107 Sections 6 to 8 repealed

Repeal sections 6 to 8.

108 Section 9 amended (Control and management of reserves)

In section 9, replace “approved general policies, conservation management strategies, and conservation management plans” with “the National Conservation Policy Statement and area plans”.

Subpart 5—Amendments to Wild Animal Control Act 1977

109 Principal Act

This subpart amends the Wild Animal Control Act 1977.

110 Section 2 amended (Interpretation)

- (1) In section 2(1), insert in their appropriate alphabetical order:

area plan has the same meaning as in section 2(1) of the Conservation Act 1987

National Conservation Policy Statement or **NCPS** has the same meaning as in section 2(1) of the Conservation Act 1987

- (2) In section 2(1), repeal the definition of **conservation management strategy**.

111 Section 5 amended (Minister's general powers)

Repeal section 5(1)(ca).

112 Section 5A replaced (General provisions relating to general policies and wild animal control plans)

Replace section 5A with:

5A Wild animal control plans must be consistent with Acts, NCPS, and area plans

Wild animal control plans made in accordance with section 5 must be consistent with—

- (a) this Act, and any other Act; and
- (b) the National Conservation Policy Statement; and
- (c) area plans.

113 Section 5B amended (Management of wild animals)

- (1) Replace section 5B(a) with:

- (a) the National Conservation Policy Statement; and

- (2) Replace section 5B(c) with:

- (c) area plans.

114 Section 22 amended (Power to grant concessions for wild animal recovery operations on certain Crown-owned and other land)

In section 22(3), replace “sections 17O(4) and 17U(3)” with “**sections 14A(2)(f) and 14Z(1)(a) and (d)**”.

115 Section 23 amended (Matters to which Minister to have regard in considering application for concession)

- (1) In section 23, replace “section 17U (other than subsection (3))” with “**sections 14K, 14Z** (other than **subsection (1)**), and **14ZB**”.

- (2) After section 23(a), insert:

- (aa) the National Conservation Policy Statement and any secondary legislation made under the Act under which the land concerned is held; and

Subpart 6—Amendments to Wildlife Act 1953

116 Principal Act

This subpart amends the Wildlife Act 1953.

117 Section 2 amended (Interpretation)

- (1) In section 2(1), replace the definition of **activity** with:

activity includes—

- (a) the construction, maintenance, use, or occupation of any facility or structure associated with the activity; and
- (b) a trade, business, or occupation; and
- (c) the passive use of a wildlife sanctuary, wildlife refuge, or wildlife management reserve for gain or reward

- (2) In section 2(1), insert in their appropriate alphabetical order:

area plan has the same meaning as in section 2(1) of the Conservation Act 1987

National Conservation Policy Statement has the same meaning as in section 2(1) of the Conservation Act 1987

- (3) In section 2(1), replace the definition of **concession** with:

concession means a lease, licence, permit, or easement granted under section 14AA for an activity

- (4) In section 2(1), repeal the definitions of **concessionaire**, **conservation management plan**, and **conservation management strategy**.

118 Section 2B amended (Application of certain provisions restricted)

In section 2B, delete “14C, 14E,”.

119 Section 14AA amended (Granting of concessions in wildlife sanctuaries, wildlife refuges, and wildlife management reserves)

- (1) After section 14AA(2), insert:

- (2A) A concession holder may, to the extent that their concession allows, impose a reasonable charge for the use of any facilities—

- (a) in or in relation to the part of the sanctuary, refuge, or reserve to which their concession applies; and
- (b) that are provided by them or the Minister.

- (2) In section 14AA(3), replace “relevant conservation management strategy or conservation management plan” with “relevant area plan”.

120 Section 14B amended (Wildlife areas to be managed by the Department)

Replace section 14B(a) and (b) with:

- (a) the National Conservation Policy Statement; and
- (b) area plans.

121 Sections 14C to 14E repealed

Repeal sections 14C to 14E.

Subpart 7—Amendments to Hauraki Gulf Marine Park Act 2000

122 Principal Act

This subpart amends the Hauraki Gulf Marine Park Act 2000.

123 Section 11 replaced (Statements of general policy under Conservation Act 1987 and Acts in Schedule 1 of that Act)

Replace section 11 with:

11 Sections 7 and 8 are part of National Conservation Policy Statement

Sections 7 and 8 of this Act have the same effect as the National Conservation Policy Statement made under **section 13D** of the Conservation Act 1987.

124 Section 32 amended (Purposes of Hauraki Gulf Marine Park)

In section 32(a), (b), and (c), replace “natural and historic resources” with “natural resources and historic resources”.

~~125 Section 39 amended (Removal of land with protected status from Park by change of status of land)~~

~~(1) In section 39(1)(a), delete “section 16A of”.~~

~~(2) In section 39(1)(b), delete “section 26 of”.~~

~~(3) Replace section 39(1)(c) with:~~

- ~~(c) exchanging a reserve under the Conservation Act 1987 or the Reserves Act 1977:~~

Subpart 8—Amendments to Resource Management Act 1991

126 Principal Act

This subpart amends the Resource Management Act 1991.

127 Section 4 amended (Act to bind the Crown)

Replace section 4(3)(a) with:

- (a) is consistent with the National Conservation Policy Statement or an area plan made under the Conservation Act 1987, or a management plan established under any other Act listed in Schedule 1 of that Act; and

128 Section 76 amended (District rules)

In section 76(4C), definition of **urban environment allotment** or **allotment**, paragraph (d), replace “a conservation management plan or conservation management strategy prepared in accordance with the Conservation Act 1987 or the Reserves Act 1977” with “an area plan (as defined in section 2(1) of the Conservation Act 1987)”.

Subpart 9—Amendments to Marine and Coastal Area (Takutai Moana) Act 2011

129 Principal Act

This subpart amends the Marine and Coastal Area (Takutai Moana) Act 2011.

130 Section 71 amended (Scope and effect of conservation permission right)

- (1) In section 71(3)(c), replace “an application” with “a complete application”.
- (2) After section 71(3)(c), insert:

(d) the Minister of Conservation proposes to add or amend a pre-approved or exempt activity to the National Conservation Policy Statement in accordance with **section 13E** of the Conservation Act 1987.
- (3) After section 71(5)(a)(ii), insert:

(iii) to decide not to add or amend a pre-approved or exempt activity to the National Conservation Policy Statement; or

131 Section 72 amended (Obligation to refer proposals for conservation activity if conservation permission right applies)

After section 72(3), insert:

- (4) If the Minister makes a proposal to which **section 71(3)(d)** applies, the Minister or the Director-General, as the case requires—
 - (a) must refer the proposal to the relevant customary marine title group; and
 - (b) must not make the amendment or add the activity to the National Conservation Policy Statement except to the extent that any permission given by the customary marine title group covers the amendment or addition.

132 Section 90 amended (Obligation on Director-General)

- (1) In section 90(1), replace “reviewing or amending a conservation management strategy” with “making or amending an area plan”.
- (2) In section 90(2), replace “**conservation management strategy**” with “**area plan**”.

Subpart 10—Amendments to other enactments

*Amendment to Crown Pastoral Land Act 1998***133 Principal Act**

Section 134 amends the Crown Pastoral Land Act 1998.

134 Section 2 amended (Interpretation)

In section 2, definition of **protective mechanism**, paragraph (a), replace “section 7(2)” with “**section 7(4)**”.

*Amendments to Fast-track Approvals Act 2024***135 Principal Act**

Section 136 amends the Fast-track Approvals Act 2024

136 Schedule 6 amended

- (1) In Schedule 6, clause 1, insert in their appropriate alphabetical order:

area plan means an area plan as defined in section 2(1) of the Conservation Act 1987

NCPS means the National Conservation Policy Statement as defined in section 2(1) of the Conservation Act 1987
- (2) In Schedule 6, clause 4(2), replace “section 17U” with “**sections 14K, 14Z, and 14ZB**”.
- (3) In Schedule 6, clause 7(1)(a)(ii), replace “sections 17SB and 17U(3)” with “**sections 14U, 14Y, and 14Z(1)**”.
- (4) In Schedule 6, clause 7(2)(a), replace “sections 17U(5) and (6) and 17W(1) and (3)” with “**sections 14Z(1)(b) and (c) and (3)(d) and 14ZB(1) and (3)**”.
- (5) In Schedule 6, clause 7(6), replace “section 17U” with “**sections 14K, 14Z, and 14ZB**”.
- (6) In Schedule 6, clause 8(1), replace “Section 17X” with “**Section 14ZM(1)**”.
- (7) In Schedule 6, clause 8(2), replace “section 17Y(1)” with “**section 14ZP(1) and (2)**”.
- (8) In Schedule 6, heading to clause 10, replace “**Section 17ZJ**” with “**Sections 14ZD and 14ZE**”.
- (9) In Schedule 6, clause 10, replace “Section 17ZJ” with “**Sections 14ZD and 14ZE**”.
- (10) In Schedule 6, clause 13, replace “Section 17Z” with “**Section 14ZY**”.
- (11) In Schedule 6, clause 14(1), replace “section 17A” with “**section 13A**”.

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- (12) In Schedule 6, clause 14(2)(a), replace “sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W, and 49” with “**sections 14G, 14K, 14R, 14Z(1), (2), and (3)(c) and (d), 14ZO, 14ZW,** and 49 and **clause 3 of Schedule 3**”.
- (13) In Schedule 6, clause 14(2)(b), replace “section 17ZC(1) or (3)” with “**section 14ZV(1) or (3)**”.
- (14) In Schedule 6, clause 14(2)(c), replace “section 17ZC(2) and (3)” with “**section 14ZV(2), (3), and (4)**”.
- (15) In Schedule 6, clause 15(1), delete “14D,”.
- (16) In Schedule 6, clause 15(2)(a), replace “sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W” with “**sections 14G, 14K, 14R, 14Z(1), (2), (3)(c) and (d), 14ZO, and 14ZW**”.
- (17) In Schedule 6, clause 15(2)(b), replace “section 17ZC(1) or (3)” with “**section 14ZV(1) or (3)**”.
- (18) In Schedule 6, clause 15(2)(c), replace “section 17ZC(2) and (3)” with “**section 14ZV(2), (3), and (4)**”.
- (19) In Schedule 6, clause 16(1)(b), replace “concessionaire” with “concession holder”.
- (20) In Schedule 6, clause 16(2)(a), replace “sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W, and 49” with “**sections 14G, 14K, 14R, 14Z(1), (2), and (3)(c) and (d), 14ZO, 14ZW,** and 49 and **clause 3 of Schedule 3**”.
- (21) In Schedule 6, clause 16(2)(b), replace “section 17ZC(1) or (3)” with “**section 14ZV(1) or (3)**”.
- (22) In Schedule 6, clause 16(2)(c), replace “section 17ZC(2) and (3)” with “**section 14ZV(2), (3), and (4)**”.
- (23) In Schedule 6, clause 17(1), replace “sections 40A and 40B” with “section 40A”.
- (24) In Schedule 6, clause 17(2)(a), replace “sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W, and 49” with “**sections 14G, 14K, 14R, 14Z(1), (2), and (3)(c) and (d), 14ZO, 14ZW,** and 49 and **clause 3 of Schedule 3**”.
- (25) In Schedule 6, clause 17(2)(b), replace “section 17ZC(1) or (3)” with “**section 14ZV(1) or (3)**”.
- (26) In Schedule 6, clause 17(2)(c), replace “section 17ZC(2) and (3)” with “**section 14ZV(2), (3), and (4)**”.
- (27) In Schedule 6, clause 17(3)(a), replace “sections 17S, 17SC, 17U(1), (3), (4), and (8), 17W, and 49” with “**sections 14G, 14K, 14R, 14Z(1), (2), and (3)(c) and (d), 14ZO, 14ZW,** and 49 and **clause 3 of Schedule 3**”.
- (28) In Schedule 6, clause 17(3)(c), replace “section 17ZC(2)” with “**section 14ZV(2)**”.
- (29) In Schedule 6, heading to clause 18, replace “Section 17ZD” with “**Section 14ZZD**”.

- (30) In Schedule 6, clause 18, replace “section 17ZD” with “**section 14ZZD**”.
- (31) In Schedule 6, clause 20, replace “section 17Y(3)” with “**section 14ZP(4)**”.
- (32) In Schedule 6, replace clause 26(1)(e) with:
 - (e) the NCPS; and
- (33) In Schedule 6, replace clause 29(1)(a)(vi) with:
 - (vi) the NCPS; and
- (34) In Schedule 6, replace clause 29(1)(b) with:
 - (b) may consider any area plan (other than a document referred to in paragraph (a)(vii).
- ~~(35) In Schedule 6, clause 40, replace “section 16A” with “**section 15A**”.~~

Amendment to Fire and Emergency New Zealand Act 2017

137 Principal Act

Section 138 amends the Fire and Emergency New Zealand Act 2017.

138 Section 144 amended (Interpretation in this subpart)

In section 144, definition of **public conservation land**, paragraph (b)(vi), replace “section 7(2)” with “**section 7(4)**”.

Amendments to Forests (West Coast Accord) Act 2000

139 Principal Act

Sections 140 and 141 amend the Forests (West Coast Accord) Act 2000.

140 Sections 11 and 12 repealed

Repeal sections 11 and 12.

141 Section 18 amended (Exemptions if existing encumbrances exchanged for concessions)

- (1) In section 18(2)(a), replace “section 17T(4) and (5) of the Conservation Act 1987 (public notice)” with “**section 14R** of the Conservation Act 1987 (public notification of applications)”.
- (2) In section 18(2)(b),—
 - (a) replace “section 17U(1)(f)” with “**section 14K(e)**”;
 - (b) replace “section 17U(3) of that Act (Minister not to grant application contrary to Act or purposes for which land held)” with “**section 14Z(1)(a) and (d)** of that Act (Minister not to grant application contrary to or inconsistent with Acts or purpose for which land held)”.
- (3) In section 18(2)(c), replace “section 17W of the Conservation Act 1987 (relationship between concessions and conservation management strategies and

plans)” with “**sections 14Z(1)(b) and (c), 14Z(3)(d), 14ZO, and 14ZW and clause 3 of Schedule 3** of the Conservation Act 1987 (relationship between concessions and the National Conservation Policy Statement and area plans)”.

- (4) In section 18(2)(d), replace “section 17T(2) of the Conservation Act 1987 (Minister to decline application within 20 working days)” with “**14U(3)(a)** of the Conservation Act 1987 (Minister may discontinue considering application no later than 10 working days)”.

Amendment to Game Animal Council Act 2013

142 Principal Act

Section 143 amends the Game Animal Council Act 2013.

143 Section 4 amended (Interpretation)

In section 4(1), definition of **overriding considerations**, replace paragraphs (b) to (e) with:

- (b) the National Conservation Policy Statement made under **section 13D** of the Conservation Act 1987:
- (c) any area plan made under Part 3A of the Conservation Act 1987:
- (d) any reserve management plan made under section 41 of the Reserves Act 1977:

Amendment to Maritime Transport Act 1994

144 Principal Act

Section 145 amends the Maritime Transport Act 1994.

145 Section 291 amended (Preparation and consultation in respect of, and matters to be included in, regional marine oil spill contingency plans)

Replace section 291(2)(d) with:

- (d) any area plans made under Part 3A of the Conservation Act 1987 in respect of the coastal resources of the region:

Amendment to Sugar Loaf Islands Marine Protected Area Act 1991

146 Principal Act

Section 147 amends the Sugar Loaf Islands Marine Protected Area Act 1991.

147 Section 4 amended (Principles)

In section 4(d), after “management plan”, insert “or area plan”.

*Amendment to Waitakere Ranges Heritage Area Act 2008***148 Principal Act**

Section 149 amends the Waitakere Ranges Heritage Area Act 2008.

149 Section 8 amended (Heritage area objectives)

In section 8(1), after “natural”, insert “resources”.

Subpart 11—Amendments to secondary legislation

*Amendment to Conservation (Infringement Offences) Regulations 2019***150 Principal regulations**

Section 151 amends the Conservation (Infringement Offences) Regulations 2019.

151 Schedule 2 amended

In Schedule 2, after the last item, insert:

51UA(2)	International visitor failing to pay access levy	200	400
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*Amendments to Conservation (Whirinaki Conservation Park: Vehicles) Regulations 2011***152 Principal regulations**

Sections 153 and 154 amend the Conservation (Whirinaki Conservation Park: Vehicles) Regulations 2011.

153 Regulation 5 amended (Limits on grants of permits)

In regulation 5(3), replace “conservation management strategy and conservation management plan” with “area plan”.

154 Regulation 9 amended (Limits on publication of notices)

In regulation 9(3), replace “conservation management strategy and conservation management plan” with “area plan”.

*Amendment to Marine Mammals Protection Regulations 1992***155 Principal regulations**

Section 156 amends the Marine Mammals Protection Regulations 1992.

156 Regulation 6 amended (Criteria for issuing permits)

Replace regulation 6(1)(b) with:

- (b) that the commercial operation should not be contrary to the purposes and provisions of the National Conservation Policy Statement or any area plan made under Part 3A of the Conservation Act 1987:

Amendment to New Zealand Game Bird Habitat Stamp Regulations 1993

157 Principal regulations

Section 158 amends the New Zealand Game Bird Habitat Stamp Regulations 1993.

158 Section 2 amended (Interpretation)

In section 2, definition of **threatened communities or areas of plants or animals having national or regional significance**, paragraph (c), replace “conservation management strategy” with “area plan”.

Amendments to Severe Weather Emergency Recovery (KiwiRail Holdings Limited) Order 2023

159 Principal order

Sections 160 and 161 amend the Severe Weather Emergency Recovery (KiwiRail Holdings Limited) Order 2023.

160 Clause 30 amended (Concession for recovery work in conservation area or in reserve vested in Crown and managed by Department of Conservation)

- (1) In clause 30(1)(a), replace “section 17R(1)” with “**section 14F(1)**”.
- (2) In clause 30(2), replace “Section 17T of the Conservation Act 1987 and section” with “Section”.
- (3) In clause 30(3), replace “Sections 17N(2), 17SA to 17SE, 17T(2), 17U to 17Y, and 26ZI to 26ZJA” with “**Sections 13N(3), 14I, 14K, 14L, 14M, 14R, 14U, 14W, 14Y, 14Z, 14ZB, 14ZC, 14ZM, 14ZO, 14ZP, 14ZW, and 26ZI to 26ZJA and clause 3 of Schedule 3**”.
- (4) In clause 30(4), replace “Section 17S” with “**Section 14G**”.
- (5) In clause 30(10), replace “section 17Q” with “**section 14B**”.

161 Clause 42 amended (Concession for recovery work in wildlife sanctuary, wildlife refuge, or wildlife management reserve vested in the Crown and managed by Department of Conservation)

- (1) In clause 42(2), replace “and section 17T of the Conservation Act 1987 are” with “is”.
- (2) In clause 42(3), replace “sections 17N(2), 17SA, 17SB to 17SE, 17T, 17U, 17W to 17Y, and 26ZI to 26ZJA” with “**sections 13N(3), 14I, 14K, 14L, 14M, 14R, 14U, 14W, 14Y, 14Z, 14ZB (except subsection (2)), 14ZM, 14ZO, 14ZP, 14ZW, and 26ZI to 26ZJA and clause 3 of Schedule 3**”.

- (3) In clause 42(5), replace “Section 17S” with “**Section 14G**”.

Amendments to Severe Weather Emergency Recovery (Waka Kotahi New Zealand Transport Agency) Order 2023

162 Principal order

Sections 163 and 164 amend the Severe Weather Emergency Recovery (Waka Kotahi New Zealand Transport Agency) Order 2023.

163 Clause 30 amended (Concession for recovery work in conservation area or in reserve vested in Crown and managed by Department of Conservation)

- (1) In clause 30(1)(a), replace “section 17R(1)” with “**section 14F(1)**”.
- (2) In clause 30(2), replace “Section 17T of the Conservation Act 1987 and section” with “Section”.
- (3) In clause 30(3), replace “Sections 17N(2), 17SA to 17SE, 17T(2), 17U to 17Y, and 26ZI to 26ZJA” with “**Sections 13N(3), 14I, 14K, 14L, 14M, 14R, 14U, 14W, 14Y, 14Z, 14ZB, 14ZC, 14ZM, 14ZO, 14ZP, 14ZW, and 26ZI to 26ZJA and clause 3 of Schedule 3**”.
- (4) In clause 30(4), replace “Section 17S” with “**Section 14G**”.
- (5) In clause 30(10), replace “section 17Q” with “**section 14B**”.

164 Clause 42 amended (Concession for recovery work in wildlife sanctuary, wildlife refuge, or wildlife management reserve vested in the Crown and managed by Department of Conservation)

- (1) In clause 42(2), replace “and section 17T of the Conservation Act 1987 are” with “is”.
- (2) In clause 42(3), replace “sections 17N(2), 17SA, 17SB to 17SE, 17T, 17U, 17W to 17Y, and 26ZI to 26ZJA” with “**sections 13N(3), 14I, 14K, 14L, 14M, 14R, 14U, 14W, 14Y, 14Z, 14ZB (except subsection (2)), 14ZM, 14ZO, 14ZP, 14ZW, and 26ZI to 26JA and clause 3 of Schedule 3**”.
- (3) In clause 42(5), replace “Section 17S” with “**Section 14G**”.

Amendments to Whanganui National Park Bylaws 1993

165 Principal bylaws

Sections 166 and 167 amend the Whanganui National Park Bylaws 1993.

166 Clause 2 amended (Interpretation)

- (1) In clause 2, repeal the definition of **concessionaire**.
- (2) In clause 2, definition of **restricted camping site**, replace “concessionaire or concessionaires” with “concession holder or named concession holders”.

167 Clause 4 amended (Camping)

In clause 4(b), replace “concessionaire” with “concession holder”.

Part 3**Consequential amendments to Treaty settlement Acts****168 Outline of this Part**

- (1) **Subparts 1 to 57** of this Part make consequential amendments to certain Treaty settlement Acts to reflect changes made by **Part 1** of this Act to management planning terminology and management planning responsibilities under Part 3A of the Conservation Act 1987, including by—
 - (a) replacing references to conservation management strategies, conservation management plans, and national park management plans with references to area plans; and
 - (b) replacing references to general policy with references to the National Conservation Policy Statement; and
 - (c) updating overlay classification provisions to reflect changes where the responsibility for preparing and making planning instruments has been reallocated from the New Zealand Conservation Authority and Conservation Boards to the Director-General of Conservation and the Minister of Conservation.
- (2) Subpart 58 of this Part and **Part 2 of Schedule 6** make further consequential or minor amendments to these and other Treaty settlement Acts.
- (3) *See subpart 3 of Part 3 of Schedule 1AA* of the Conservation Act 1987 for transitional arrangements relating to upholding Treaty settlements and arrangements under Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 that arise from this Act.
- (4) This section is only a guide to the general scheme and effect of this Part.

Subpart 1—Amendments to Affiliate Te Arawa Iwi and Hapu Claims
Settlement Act 2008

169 Principal Act

This subpart amends the Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008.

170 Section 10 amended (Interpretation)

- (1) In section 10, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 10, repeal the definitions of **conservation document**, **conservation management plan**, **conservation management strategy**, and **national park management plan**.

171 Section 25 amended (Noting of DOC protocol)

- (1) In section 25(1), replace “conservation documents” with “area plans”.
- (2) Replace section 25(2)(b) with:
- (b) not an amendment to an area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

172 Section 52 amended (Purposes of whenua rahui declaration and acknowledgement)

- (1) Replace section 52(1)(a) with:
- (a) require the New Zealand Conservation Authority, relevant Conservation Boards, the Director-General, and the Minister of Conservation to have regard to the Affiliate values and the protection principles, as provided for in sections 54 and **54A**.
- (2) In section 52(1)(b), replace “New Zealand Conservation Authority” with “Minister of Conservation”.

173 Section 54 amended (New Zealand Conservation Authority and Conservation Boards to have particular regard to Affiliate values)

In section 54, delete “a conservation document (including a draft) or”.

174 New section 54A inserted (Obligations on Director-General and Minister of Conservation)

After section 54, insert:

54A Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to a whenua rahui, the Director-General must have particular regard to the—
- (a) Affiliate values; and
- (b) protection principles.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult the trustees; and
- (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on the—
- (i) Affiliate values; and
- (ii) protection principles.

Obligation on Minister of Conservation

- (3) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on the—
- (a) Affiliate values; and
 - (b) protection principles.

175 Section 55 amended (New Zealand Conservation Authority and Conservation Boards to consult with trustees)

- (1) In section 55, delete “approving a conservation document or”.
- (2) In section 55(b), delete “conservation document or”.

176 Section 56 replaced (Conservation management strategy)

Replace section 56 with:

56 Minister to give opportunity to make submissions

If the trustees advise the Minister for Conservation in writing that they have significant concerns about a draft area plan or an amendment that relates to a whenua rahui, the Minister, before considering and making a decision on the draft, must give the trustees an opportunity to make submissions in relation to those concerns.

177 Section 57 amended (Noting of whenua rahui)

- (1) In section 57(1), replace “conservation documents” with “area plans”.
- (2) Replace section 57(2)(b) with:
 - (b) not an amendment to an area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

178 Section 60 replaced (Amendment to conservation documents)

Replace section 60 with:

60 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives relating to the protection principles.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

179 Section 61 amended (Regulations)

In section 61(1)(a), replace “a conservation document” with “an area plan”.

180 Section 62 amended (Bylaws)

In section 62(1)(a), replace “a conservation document” with “an area plan”.

Subpart 2—Amendments to Ahuriri Hapū Claims Settlement Act 2021

181 Principal Act

This subpart amends the Ahuriri Hapū Claims Settlement Act 2021.

182 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

183 Section 21 amended (Interpretation)

In section 21, replace the definition of **conservation planning document** with:

conservation planning document means an area plan or a freshwater fisheries management plan

184 Section 46 amended (Interpretation)

In section 46, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

185 Section 48 amended (Purposes of overlay classification)

In section 48(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

186 Section 50 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 50 with:

50 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—
- (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—

- (i) any matters in the implementation of the statement of values for the area; and
- (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

187 Section 51 amended (Noting of overlay classifications in strategies and plans)

- (1) In the heading to section 51, replace “**strategies and**” with “**area**”.
- (2) In section 51(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 51(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

188 Section 54 replaced (Amendment to strategies or plans)

Replace section 54 with:

54 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

189 Section 55 amended (Regulations)

In section 55(1)(a), replace “a strategy or plan” with “an area plan”.

190 Section 56 amended (Bylaws)

In section 56(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 3—Amendments to Heretaunga Tamatea Claims Settlement Act 2018

191 Principal Act

This subpart amends the Heretaunga Tamatea Claims Settlement Act 2018.

192 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

193 Section 35 amended (Interpretation)

In section 35, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

194 Section 37 amended (Purposes of overlay classification)

In section 37(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

195 Section 39 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 39 with:

39 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—
- (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

196 Section 40 amended (Noting of overlay classifications in strategies and plans)

- (1) In the heading to section 40, replace “**strategies and**” with “**area**”.
- (2) In section 40(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 40(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

197 Section 43 replaced (Amendment to strategies or plans)

Replace section 43 with:

43 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

198 Section 44 amended (Regulations)

In section 44(1)(a), replace “a strategy or plan” with “an area plan”.

199 Section 45 amended (Bylaws)

In section 45(1)(a), replace “a strategy or plan” with “an area plan”.

200 Section 82 amended (Minister of Conservation may grant easements)

Repeal section 82(2)(c).

Subpart 4—Amendments to Hineuru Claims Settlement Act 2016

201 Principal Act

This subpart amends the Hineuru Claims Settlement Act 2016.

202 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

203 Section 22 amended (Interpretation)

In section 22, replace the definition of **conservation document** with:

conservation document means an area plan or a freshwater fisheries management plan

204 Section 24 amended (Noting of Te Kawenata on conservation documents)

In section 24(2)(b), delete “or the National Parks Act 1980”.

205 Section 47 amended (Interpretation)

In section 47, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

206 Section 49 amended (Purposes of Te Korowai o Te Hā)

In section 49(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

207 Section 51 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 51 with:

51 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to a Te Korowai o Te Hā area, the Director-General must have particular regard to—
- (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—

- (a) consult the trustees; and
- (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to a Te Korowai o Te Hā area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

208 Section 52 amended (Noting of Te Korowai o Te Hā in strategies and plans)

- (1) In the heading to section 52, replace “**strategies and**” with “**area**”.
- (2) In section 52(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 52(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

209 Section 55 replaced (Amendment to strategies or plans)

Replace section 55 with:

55 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to a Te Korowai o Te Hā area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

210 Section 56 amended (Regulations)

In section 56(1)(a), replace “a strategy or plan” with “an area plan”.

211 Section 57 amended (Bylaws)

In section 57(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 5—Amendments to Iwi and Hapū of Te Rohe o Te Wairoa
Claims Settlement Act 2018

212 Principal Act

This subpart amends the Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Act 2018.

213 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

214 Section 41 amended (Interpretation)

In section 41, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

215 Section 43 amended (Purposes of overlay classification)

In section 43(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

216 Section 45 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 45 with:

45 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—
- (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—

- (i) any matters in the implementation of the statement of values for the area; and
- (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

217 Section 46 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 46, replace “strategies and” with “area”.
- (2) In section 46(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 46(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

218 Section 49 replaced (Amendment to strategies or plans)

Replace section 49 with:

49 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

219 Section 50 amended (Regulations)

In section 50(1)(a), replace “a strategy or plan” with “an area plan”.

220 Section 51 amended (Bylaws)

In section 51(1)(a), replace “a strategy or plan” with “an area plan”.

221 Section 56 amended (Interpretation)

In section 56, replace the definition of **conservation document** with:

conservation document means an area plan or a freshwater fisheries management plan

222 Section 58 amended (Noting of partnership agreement on conservation documents)

Replace section 58(2)(b) with:

(b) is not an amendment to a conservation document for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

Subpart 6—Amendments to Maniapoto Claims Settlement Act 2022

223 Principal Act

This subpart amends the Maniapoto Claims Settlement Act 2022.

224 Section 12 amended (Interpretation)

(1) In section 12(1), insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

(2) In section 12(1), repeal the definitions of **conservation general policy**, **conservation management plan**, **conservation management strategy**, and **national park management plan**.

225 Section 45 amended (Interpretation)

In section 45, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

226 Section 47 amended (Purposes of overlay classification)

In section 47(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

227 Section 49 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 49 with:

49 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

(1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—

(a) the statement of values for the area; and

- (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

228 Section 50 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 50, replace “**strategies and**” with “**area**”.
- (2) In section 50(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 50(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

229 Section 53 replaced (Amendment to strategies or plans)

Replace section 53 with:

53 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

230 Section 54 amended (Regulations)

In section 54(1)(a), replace “a strategy or plan” with “an area plan”.

231 Section 55 amended (Bylaws)

In section 55(1)(a), replace “a strategy or plan” with “an area plan”.

232 Section 118 amended (Interpretation)

In section 118, repeal the definition of **conservation general policy**.

Subpart 7—Amendments to Maraeroa A and B Blocks Claims
Settlement Act 2012

233 Principal Act

This subpart amends the Maraeroa A and B Blocks Claims Settlement Act 2012.

234 Section 10 amended (Interpretation)

- (1) In section 10, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 10, replace the definition of **conservation document** with:

conservation document means an area plan or a freshwater fisheries management plan

- (3) In section 10, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

235 Section 37 amended (Interpretation)

In section 37, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

236 Section 39 amended (Purposes of overlay classification)

- (1) In section 39(1)(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.
- (2) In section 39(1)(b), replace “New Zealand Conservation Authority” with “Minister”.

237 Section 41 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 41 with:

41 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft National Conservation Policy Statement or a draft conservation document (or a draft amendment to the NCPS or to a conservation document) that relates to the overlay site, the Director-General must have particular regard to the statement of values and the protection principles for the site.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to their views as to the effect of the NCPS or the conservation document (or the amendment) on the statement of values and the protection principles for the site.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan in relation to the overlay site, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on a draft NCPS or a draft conservation document (or a draft amendment), the Minister must have particular regard to the views of the trustees as to the effect of the NCPS, plan, or amendment on the statement of values and the protection principles for the site.

Definition

- (5) In this section, **National Conservation Policy Statement** or **NCPS** has the meaning given in section 2(1) of the Conservation Act 1987.

238 Section 43 replaced (Amendment of conservation document)

Replace section 43 with:

43 Amendment to conservation documents

- (1) The Director-General may initiate an amendment to a conservation document to incorporate objectives for the protection principles that relate to the overlay site.
- (2) If the conservation document is an area plan, **Schedule 3** of the Conservation Act 1987 applies to the amendment.

239 Section 47 amended (Noting of overlay classification)

Replace section 47(2)(b) with:

- (b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

Subpart 8—Amendments to Maungaharuru-Tangitū Hapū Claims Settlement Act 2014

240 Principal Act

This subpart amends the Maungaharuru-Tangitū Hapū Claims Settlement Act 2014.

241 Section 11 amended (Interpretation)

- (1) In section 11, insert in its appropriate alphabetical order:
area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 11, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

242 Section 26 amended (Interpretation)

In section 26, replace the definition of **conservation document** with:
conservation document means an area plan or a freshwater fisheries management plan

243 Section 28 amended (Noting of Te Kawenata on conservation documents)

In section 28(2)(b), delete “or the National Parks Act 1980”.

244 Section 51 amended (Interpretation)

In section 51, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

245 Section 53 amended (Purposes of Tātai Tūāpapa)

In section 53(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

246 Section 55 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 55 with:

55 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to a Tātai Tūāpapa area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.

- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) the statement of values for the area; and
 - (ii) the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to a Tātai Tūāpapa area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
- (a) the statement of values for the area; and
 - (b) the protection principles for the area.

247 Section 56 amended (Noting of Tātai Tūāpapa in strategies and plans)

- (1) In the heading to section 56, replace “**strategies and**” with “**area**”.
- (2) In section 56(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 56(2)(b) with:
- (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

248 Section 59 replaced (Amendment to strategies or plans)

Replace section 59 with:

59 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to a Tātai Tūāpapa area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

249 Section 60 amended (Regulations)

In section 60(1)(a), replace “a strategy or plan” with “an area plan”.

250 Section 61 amended (Bylaws)

In section 61(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 9—Amendments to Moriori Claims Settlement Act 2021

251 Principal Act

This subpart amends the Moriori Claims Settlement Act 2021.

252 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

253 Section 41 amended (Interpretation)

In section 41, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

254 Section 43 amended (Purposes of overlay classification)

In section 43(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

255 Section 45 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 45 with:

45 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—
- (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

256 Section 46 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 46, replace “**strategies and**” with “**area**”.
- (2) In section 46(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 46(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

257 Section 49 replaced (Amendment to strategies or plans)

Replace section 49 with:

49 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

258 Section 50 amended (Regulations)

In section 50(1)(a), replace “a strategy or plan” with “an area plan”.

259 Section 51 amended (Bylaws)

In section 51(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 10—Amendments to Ngaa Rauru Kiitahi Claims Settlement Act 2005

260 Principal Act

This subpart amends the Ngaa Rauru Kiitahi Claims Settlement Act 2005.

261 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **Conservation Board**, **conservation document**, **conservation management plan**, **conservation management strategy**, **national park management plan**, and **New Zealand Conservation Authority**.

262 Section 25 amended (Noting of DOC protocol)

- (1) In section 25(1), replace “conservation documents” with “area plans”.

- (2) Replace section 25(3)(b) with:

(b) not an amendment to an area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

263 Section 87 amended (Purposes of Toopuni)

In section 87(1)(b),—

- (a) replace “New Zealand Conservation Authority and relevant conservation boards” with “Director-General and the Minister of Conservation”; and
- (b) replace “sections 90 and 91” with “section 90”.

264 Sections 90 and 91 replaced

Replace sections 90 and 91 with:

90 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft National Conservation Policy Statement or a draft area plan (or a draft amendment to the NCPS or to an area plan) that relates to the Toopuni, the Director-General must have particular regard to—
- (a) Ngaa Rauru Kiitahi values in relation to the Toopuni; and
- (b) any protection principles agreed between the governance entity and the Crown under section 89.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult with the governance entity; and
- (b) have particular regard to its views as to the effect of the NCPS or the plan (or the amendment) on Ngaa Rauru Kiitahi values in relation to the Toopuni.

Obligation on Minister of Conservation

- (3) When considering and making a decision on the draft, the Minister must have particular regard to the views of the governance entity as to the effect of the NCPS or the plan (or the amendment) on Ngaa Rauru Kiitahi values in relation to the Toopuni.

Definition

- (4) In this section, **National Conservation Policy Statement** or **NCPS** has the meaning given in section 2(1) of the Conservation Act 1987.

265 Section 92 amended (Notification of Toopuni)

- (1) In section 92(1), replace “conservation documents” with “area plans”.
- (2) Replace section 92(2)(b) with:
- (b) is not an amendment to an area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

266 Section 94 replaced (Amendments to strategies and plans)

Replace section 94 with:

94 Amendments to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives relating to the protection principles agreed under section 89.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.
- (3) This section does not limit section 93(2).

267 Section 95 amended (Regulations)

In section 95(1)(a), replace “a conservation document” with “an area plan”.

268 Section 96 amended (Bylaws)

In section 96(1)(a), replace “conservation documents” with “area plans”.

Subpart 11—Amendments to Ngāi Tahu Claims Settlement Act 1998

269 Principal Act

This subpart amends the Ngāi Tahu Claims Settlement Act 1998.

270 Section 8 amended (Interpretation of terms)

- (1) In section 8, insert in their appropriate alphabetical order:
- Conservation Act area plan** means an area plan as defined in section 2(1) of the Conservation Act 1987
- National Conservation Policy Statement** or **NCPS** has the meaning given in section 2(1) of the Conservation Act 1987

- (2) In section 8, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

271 Sections 241 and 242 replaced

Replace sections 241 and 242 with:

241 Obligations on Director-General

- (1) When preparing the draft National Conservation Policy Statement or a draft Conservation Act area plan (or an amendment to the NCPS or to a Conservation Act area plan) that relates to a Tōpuni, the Director-General must have particular regard to—
- (a) the Ngāi Tahu values of the Tōpuni; and
 - (b) any specific principles agreed under section 240.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult Te Rūnanga o Ngāi Tahu; and
 - (b) have particular regard to its views as to the effect of the NCPS, plan, or amendment on the Ngāi Tahu values.

242 Obligations on Minister of Conservation

When considering and making a decision the draft National Conservation Policy Statement or a draft Conservation Act area plan (or an amendment to the NCPS or to a Conservation Act area plan) that relates to a Tōpuni, the Minister of Conservation must have particular regard to—

- (a) the Ngāi Tahu values of the Tōpuni; and
- (b) any specific principles agreed under section 240.

272 Section 243 amended (Notification of Tōpuni)

- (1) In section 243(1), replace “conservation management strategies, conservation management plans, and national park management plans” with “Conservation Act area plans”.
- (2) Replace section 243(2) with:
- (2) The initial identification and description of the Tōpuni under subsection (1)—
- (a) is for the purpose of public notice only; and
 - (b) is not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

273 Section 244 amended (Actions by Director-General)

Replace section 244(5) and (6) with:

- (5) Without limiting subsection (2), the Director-General may initiate an amendment of a Conservation Act area plan to incorporate objectives relating to the specific principles referred to in section 240.
- (6) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

274 Section 245 amended (Regulations)

Replace section 245(1)(a) with:

- (a) providing for the implementation of objectives included in Conservation Act area plans pursuant to **section 244(5)**:

275 Section 246 amended (Bylaws)

Replace section 246(1)(a) with:

- (a) providing for the implementation of objectives included in Conservation Act area plans pursuant to **section 244(5)**:

276 Section 249 amended (Purpose of declaration as Tōpuni)

Replace section 249(b) and (c) with:

- (b) the requirements that the Director-General and the Minister of Conservation have particular regard to the Ngāi Tahu values, those specific principles, and the views of Te Rūnanga o Ngāi Tahu, as provided in sections 241 and 242; and
- (c) the requirement that the Director-General consult with Te Rūnanga o Ngāi Tahu, as provided in section 241(2)(a); and

277 Section 284 amended (Noting of protocols)

- (1) In section 284(1), replace “conservation management strategies, conservation management plans, and national park management plans” with “Conservation Act area plans”.
- (2) Replace section 284(2) with:
 - (2) The noting of the protocols under subsection (1)—
 - (a) is for the purpose of public notice only; and
 - (b) is not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

278 Section 293 amended (Species management of all taonga species)

In section 293(a), replace “conservation management strategy” with “Conservation Act area plan”.

Subpart 12—Amendments to Ngai Tāmanuhiri Claims Settlement Act 2012

279 Principal Act

This subpart amends the Ngai Tāmanuhiri Claims Settlement Act 2012.

280 Section 10 amended (Interpretation)

- (1) In section 10, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 10, replace the definition of **conservation document** with:

conservation document means an area plan or a freshwater fisheries management plan

- (3) In section 10, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

281 Section 24 amended (Conservation protocol)

Replace section 24(2)(b) with:

- (b) not an amendment to the conservation documents for the purposes of sections **section 13K or Schedule 3** of the Conservation Act 1987.

Subpart 13—Amendments to Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019

282 Principal Act

This subpart amends the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.

283 Section 9 amended (Interpretation)

- (1) In section 9, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 9, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

284 Section 14 amended (Map of ngā rohe moana must be attached to key public documents)

- (1) In section 14(4), definition of **key public document**, replace paragraph (a) with:

- (a) an area plan; and

- (2) In section 14(4), definition of **person responsible**, paragraphs (a) and (b), replace “a conservation management strategy” with “an area plan”.

285 Section 69 amended (Noting of conservation relationship instrument)

- (1) In section 69(1), replace “national park management plan, conservation management strategy, or conservation management plan” with “area plan”.
- (2) Replace section 69(2)(b) with:
- (b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 14—Amendments to Ngāruahine Claims Settlement Act 2016

286 Principal Act

This subpart amends the Ngāruahine Claims Settlement Act 2016.

287 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
- area plan** has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

288 Section 26 amended (Conservation protocol)

- (1) In section 26(1), replace “conservation management strategy, conservation management plan, freshwater fisheries management plan, or national park management plan” with “area plan or freshwater fisheries management plan”.
- (2) Replace section 26(2)(b) with:
- (b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

289 Section 43 amended (Interpretation)

In section 43, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

290 Section 45 amended (Purposes of Whāriki o Ngāruahine)

In section 45(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

291 Section 47 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 47 with:

47 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to a Whāriki o Ngāruahine area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to a Whāriki o Ngāruahine area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

292 Section 48 amended (Noting of Whāriki o Ngāruahine in strategies and plans)

- (1) In the heading to section 48, replace “**strategies and**” with “**area**”.
- (2) In section 48(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 48(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

293 Section 51 replaced (Amendment to strategies or plans)

Replace section 51 with:

51 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to a Whāriki o Ngāruahine area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

294 Section 52 amended (Regulations)

In section 52(1)(a), replace “a strategy or plan” with “an area plan”.

295 Section 53 amended (Bylaws)

In section 53(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 15—Amendments to Ngāti Apa ki te Rā Tō, Ngāti Kuia, and
Rangitāne o Wairau Claims Settlement Act 2014

296 Principal Act

This subpart amends the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014.

297 Section 18 amended (Interpretation)

- (1) In section 18(1), insert in its appropriate alphabetical order:
area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 18(1), repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

298 Section 34 amended (Noting of conservation protocols)

- (1) Replace section 34(2)(b) with:
(b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.
- (2) Replace section 34(3) with:
- (3) In this section, **conservation document** means an area plan or a freshwater fisheries management plan.

299 Section 53 amended (Interpretation)

In section 53(2), repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

300 Section 56 amended (Purposes of overlay classification)

- (1) In section 56(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.
- (2) Replace section 56(b) with:
 - (b) to require the Minister to give the relevant trustees an opportunity to make submissions, as provided for in **section 59(1)**; and

301 Sections 58 to 60 replaced

Replace sections 58 to 60 with:

58 Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay site, the Director-General must have particular regard to—
 - (a) the statements of iwi values for the site; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the relevant trustees; and
 - (b) have particular regard to the views of the relevant trustees as to the effect of the plan or amendment on—
 - (i) the iwi values for the site; and
 - (ii) the protection principles for the site.

59 Obligations on Minister for Conservation

- (1) If the relevant trustees advise the Minister for Conservation in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay site, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (2) When considering and making a decision on the draft, the Minister must have particular regard to—
 - (a) the iwi values for the site; and
 - (b) the protection principles for the site; and
 - (c) the views of the trustees as to the effect of the plan or amendment on—
 - (i) the iwi values for the site; and
 - (ii) the protection principles for the site.

302 Section 61 amended (Noting of overlay classification)

- (1) In section 61(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (2) Replace section 61(2)(b) with:

(b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

303 Section 64 replaced (Amendment to strategy or plan)

Replace section 64 with:

64 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay site.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

304 Section 65 amended (Regulations)

In section 65(1)(a), replace “a strategy or plan” with “an area plan”.

305 Section 66 amended (Bylaws)

In section 66(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 16—Amendments to Ngāti Apa (North Island) Claims
Settlement Act 2010

306 Principal Act

This subpart amends the Ngāti Apa (North Island) Claims Settlement Act 2010.

307 Section 10 amended (Interpretation)

- (1) In section 10, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 10, repeal the definitions of **conservation document**, **conservation management plan**, **conservation management strategy**, and **national park management plan**.

308 Section 24 amended (Noting and effect of DOC protocol)

- (1) In section 24(1), replace “conservation documents” with “area plans”.
- (2) Replace section 24(2)(b) with:

(b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 17—Amendments to Ngāti Awa Claims Settlement Act 2005**309 Principal Act**

This subpart amends the Ngāti Awa Claims Settlement Act 2005.

310 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation document** and **conservation management plan**.

311 Section 25 amended (Noting of DOC protocol)

- (1) In section 25(1), replace “conservation documents” with “area plans”.

- (2) Replace section 25(3)(b) with:

(b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 18—Amendments to Ngāti Hauā Claims Settlement Act 2014

312 Principal Act

This subpart amends the Ngāti Hauā Claims Settlement Act 2014.

313 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

314 Section 27 amended (Noting of conservation relationship agreement on conservation documents)

- (1) In section 27(2)(b), delete “or the National Parks Act 1980”.

- (2) In section 27(3), replace “a national park management plan, conservation management plan, conservation management strategy, or” with “an area plan or a”.

315 Section 44 amended (Interpretation)

In section 44, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

316 Section 46 amended (Purposes of overlay classification)

In section 46(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

317 Section 48 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 48 with:

48 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the overlay area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) the statement of values for the area; and
 - (ii) the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.

318 Section 49 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 49, replace “**strategies and**” with “**area**”.
- (2) In section 49(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 49(2)(b) with:

- (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

319 Section 52 replaced (Amendment to strategies or plans)

Replace section 52 with:

52 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to the overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

320 Section 53 amended (Regulations)

In section 53(1)(a), replace “a strategy or plan” with “an area plan”.

321 Section 54 amended (Bylaws)

In section 54(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 19—Amendments to Ngāti Hāua Claims Settlement Act 2026

322 Principal Act

This subpart amends the Ngāti Hāua Claims Settlement Act 2026.

323 Section 13 amended (Interpretation)

- (1) In section 13(1), insert in its appropriate alphabetical order:
area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 13(1), repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

324 Section 47 amended (Interpretation)

In section 47, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

325 Section 49 amended (Purposes of Te Tuanui)

In section 49(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

326 Section 51 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 51 with:

51 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the Te Tuanui area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the Te Tuanui area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

327 Section 52 amended (Noting of Te Tuanui in strategies and plans)

- (1) In the heading to section 52, replace “**strategies and**” with “**area**”.
- (2) In section 52(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 52(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

328 Section 55 replaced (Amendment to strategies or plans)

Replace section 55 with:

55 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to the Te Tuanui area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

329 Section 56 amended (Regulations)

In section 56(1)(a), replace “a strategy or plan” with “an area plan”.

330 Section 57 amended (Bylaws)

In section 57(1)(a), replace “a strategy or plan” with “an area plan”.

331 Section 170 amended (Interpretation)

- (1) In section 170, insert in its appropriate alphabetical order:
specified area plan means each area plan that covers all or part of the area of interest
- (2) In section 170, repeal the definition of **specified conservation management strategy**.

332 Section 172 amended (Area of interest statement to be attached to specified conservation management strategies)

- (1) In the heading to section 172, replace “**conservation management strategies**” with “**area plans**”.
- (2) In section 172, replace “conservation management strategy” with “area plan”.

333 Section 173 amended (Effect of area of interest statement)

- (1) In section 173(5)(a), replace “conservation management strategy” with “area plan”.
- (2) In section 173(5)(b), replace “section 17F, 17H, or 17I” with “**Schedule 3**”.

Subpart 20—Amendments to Ngāti Hinerangi Claims Settlement Act 2021

334 Principal Act

This subpart amends the Ngāti Hinerangi Claims Settlement Act 2021.

335 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan** and **conservation management strategy**.

336 Section 48 amended (Interpretation)

In section 48, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

337 Section 50 amended (Purposes of overlay classification)

In section 50(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

338 Section 52 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 52 with:

52 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the overlay area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

339 Section 53 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 53, replace “**strategies and**” with “**area**”.
- (2) In section 53(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 53(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

340 Section 56 replaced (Amendment to strategies or plans)

Replace section 56 with:

56 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to the overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

341 Section 57 amended (Regulations)

In section 57(1)(a), replace “a strategy or plan” with “an area plan”.

342 Section 58 amended (Bylaws)

In section 58(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 21—Amendments to Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki
Te Tau Ihu and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act
2014

343 Principal Act

This subpart amends the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014.

344 Section 21 amended (Interpretation)

- (1) In section 21(1), insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 21(1), repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

345 Section 37 amended (Noting of conservation protocols)

- (1) Replace section 37(2)(b) with:
 - (b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

- (2) Replace section 37(3) with:
- (3) In this section, **conservation document** means an area plan or a freshwater fisheries management plan.

346 Section 56 amended (Interpretation)

In section 56(2), repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

347 Section 59 amended (Purposes of overlay classification)

- (1) In section 59(a),—
 - (a) replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General”; and
 - (b) replace “sections 61 and 62” with “section 61”.
- (2) After section 59(a), insert:
 - (aa) to require the Minister of Conservation to have particular regard to the statements of iwi values, the protection principles, and the views of the relevant trustees, as provided for in **section 62**; and
- (3) In section 59(b), replace “New Zealand Conservation Authority” with “Minister”.

348 Sections 61 to 63 replaced

Replace sections 61 to 63 with:

61 Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay site, the Director-General must have particular regard to—
 - (a) the statements of iwi values for the site; and
 - (b) the protection principles for the site.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the relevant trustees; and
 - (b) have particular regard to the views of the relevant trustees as to the effect of the plan or amendment on—
 - (i) the iwi values for the site; and
 - (ii) the protection principles for the site.

62 Obligations on Minister of Conservation

When considering and making a decision on a draft area plan (or an amendment to an area plan), the Minister of Conservation must have particular regard to—

- (a) the iwi values for the site; and
- (b) the protection principles for the site; and
- (c) the views of the relevant trustees as to the effect of the plan or amendment on—
 - (i) the iwi values for the site; and
 - (ii) the protection principles for the site.

63 Minister to give opportunity to make submissions

If the relevant trustees advise the Minister in writing that they have significant concerns about a draft area plan (or an amendment to an area plan) in relation to an overlay site, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.

349 Section 64 amended (Noting of overlay classification)

- (1) In section 64(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (2) Replace section 64(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

350 Section 67 replaced (Amendment to strategy or plans)

Replace section 67 with:

67 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay site.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

351 Section 68 amended (Regulations)

In section 68(1)(a), replace “a strategy or plan” with “an area plan”.

352 Section 69 amended (Bylaws)

In section 69(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 22—Amendments to Ngāti Mākino Claims Settlement Act 2012

353 Principal Act

This subpart amends the Ngāti Mākino Claims Settlement Act 2012.

354 Section 37 amended (Interpretation)

- (1) In section 37(2), insert in their appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987
National Conservation Policy Statement or **NCPS** has the meaning given in section 2(1) of the Conservation Act 1987

- (2) In section 37(2), repeal the definitions of **conservation board**, **conservation management plan**, **conservation management strategy**, **national park management plan**, **New Zealand Conservation Authority**, and **statement of general policy**.

355 Section 40 amended (Purposes of whenua rāhui)

- (1) Replace section 40(a) with:

(a) to require the Director-General and the Minister of Conservation to have particular regard to the statement of Ngāti Mākino values and the protection principles, and to the views of the trustees (as provided in **section 42**):

- (2) In section 40(b),—

- (a) replace “New Zealand Conservation Authority” with “Minister of Conservation”; and
 (b) replace “section 44” with “**section 42(3)**”.

356 Sections 42 to 44 replaced

Replace sections 42 to 44 with:

42 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing the draft National Conservation Policy Statement, or a draft area plan (or an amendment to the NCPS or an area plan) that relates to the whenua rāhui site, the Director-General must have particular regard to—
- (a) the statement of Ngāti Mākino values; and
 (b) the protection principles.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult the trustees; and
 (b) have particular regard to their views as to the effect of the NCPS, plan, or amendment on—
- (i) Ngāti Mākino values; and
 (ii) the protection principles.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan in relation to the whenua rāhui site, the Minister must,

before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.

- (4) When considering and making a decision on a draft NCPS or a draft area plan (or an amendment to the NCPS or to an area plan), the Minister must have particular regard to—
- (a) Ngāti Mākino values; and
 - (b) the protection principles; and
 - (c) the views of the trustees as to the effect of the NCPS, plan, or amendment on—
 - (i) Ngāti Mākino values; and
 - (ii) the protection principles.

357 Section 45 amended (Noting of whenua rāhui)

- (1) Replace section 45(1) with:
- (1) The declaration of the whenua rāhui must be noted in any area plan that affects the whenua rāhui site.
- (2) Replace section 45(2)(b) with:
- (b) is not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

358 Section 48 replaced (Amendment to conservation documents)

Replace section 48 with:

48 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives relating to the protection principles.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.
- (3) This section does not limit section 47(2).

359 Section 49 amended (Regulations)

In section 49(1)(a), replace “a strategy or plan” with “an area plan”.

360 Section 50 amended (Bylaws)

In section 50(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 23—Amendments to Ngāti Manawa Claims Settlement Act
2012

361 Principal Act

This subpart amends the Ngāti Manawa Claims Settlement Act 2012.

362 Section 10 amended (Interpretation)

- (1) In section 10, insert in its appropriate alphabetical order:
area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 10, definition of **conservation document**, replace paragraphs (a) and (b) with:
 - (a) an area plan; or

363 Section 20AA amended (Interpretation and transitional provision)

In section 20AA(1), repeal the definitions of **conservation management plan** and **conservation management strategy**.

364 Section 21 amended (Purposes of Ahikāroa)

- (1) In section 21(1)(a),—
 - (a) after “Te Urewera Board,”, insert “the Director-General,”; and
 - (b) replace “section 23(1) and (2)” with “sections 23 and **23A**”.
- (2) In section 21(1)(b),—
 - (a) replace “New Zealand Conservation Authority and Te Urewera Board” with “Minister”; and
 - (b) replace “section 23(3)” with “**section 23A(3)**”.

365 Section 23 amended (Duties towards Ahikāroa)

- (1) In section 23(1), delete “a conservation document (including a draft) or”.
- (2) In section 23(2), delete “approving a conservation document or”.
- (3) In section 23(2)(b), replace “Te Urewera management plan or the conservation document, proposal,” with “the proposal”.
- (4) Replace section 23(3) with:
 - (3) When considering a conservation document (including a draft) in relation to the area subject to Ahikāroa, the Te Urewera Board must have particular regard to—
 - (a) Ngāti Manawa values; and
 - (b) the protection principles.
 - (4) Before approving a conservation document in relation to the area subject to Ahikāroa, the Te Urewera Board must—
 - (a) consult the trustees of Te Rūnanga o Ngāti Manawa; and
 - (b) have particular regard to the views of the trustees as to the effect of the document on—
 - (i) Ngāti Manawa values; and
 - (ii) the protection principles.

366 New section 23A inserted (Obligations on Director-General and Minister of Conservation)

After section 23, insert:

23A Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the area subject to Ahikāroa, the Director-General must have particular regard to—
 - (a) Ngāti Manawa values; and
 - (b) the protection principles.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) Ngāti Manawa values; and
 - (ii) the protection principles.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the area subject to Ahikāroa, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) Ngāti Manawa values; and
 - (b) the protection principles.

367 Section 24 amended (Noting of Ahikāroa)

In section 24(2)(b), replace “a conservation management plan or conservation management strategy for the purposes of section 171” with “an area plan for the purposes of **Schedule 3**”.

368 Section 27 replaced (Amendment to conservation documents)

Replace section 27 with:

27 Amendment to conservation documents

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives relating to the protection principles.
- (2) Te Urewera Board may initiate an amendment to the Te Urewera management plan to incorporate objectives relating to the protection principles (including a recommendation to make regulations or bylaws).
- (3) An amendment initiated under **subsection (1)** is an amendment for the purposes of **Schedule 3** of the Conservation Act 1987.
- (4) An amendment initiated under **subsection (2)** is an amendment for the purposes of section 48 of the Te Urewera Act 2014.

369 Section 28 amended (Bylaws)

In section 28(1)(a), replace “section 27(1)” with “**section 27**”.

370 Section 37 amended (DOC protocol)

Replace section 37(2)(b) with:

- (b) not an amendment to the conservation documents for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 24—Amendments to Ngāti Manuhiri Claims Settlement Act 2012

371 Principal Act

This subpart amends the Ngāti Manuhiri Claims Settlement Act 2012.

372 Section 11 amended (Interpretation)

- (1) In section 11, insert in its appropriate alphabetical order:
area plan has the meaning given by section 2(1) of the Conservation Act 1987
- (2) In section 11, repeal the definitions of **conservation document**, **conservation management plan**, **conservation management strategy**, and **national park management plan**.

373 Section 24 amended (Noting of conservation protocol)

- (1) In section 24(1), replace “conservation documents” with “area plans”.
- (2) Replace section 24(2)(b) with:
(b) is not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

374 Section 42 amended (Interpretation)

- (1) In section 42, insert in its appropriate alphabetical order:

National Conservation Policy Statement or **NCPS** has the meaning given in section 2(1) of the Conservation Act 1987

- (2) In section 42, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

375 Section 45 amended (Purposes of whenua rāhui)

Replace section 45(a) to (c) with:

- (a) to require the Director-General and the Minister of Conservation to have particular regard to the statement of Ngāti Manuhiri values, the protection principles, and the views of the trustees, as provided for in **section 47**; and
- (b) to require the Director-General to consult the trustees, as provided for in **section 47(2)(a)**; and
- (c) to require the Minister to give the trustees an opportunity to make submissions, as provided for in **section 47(3)**; and

376 Sections 47 to 49 replaced

Replace sections 47 to 49 with:

47 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing the draft National Conservation Policy Statement or a draft area plan (or an amendment to the NCPS or to an area plan) that relates to a whenua rāhui site, the Director-General must have particular regard to—
 - (a) the statement of Ngāti Manuhiri values for the site; and
 - (b) the protection principles for the site.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the NCPS, plan, or amendment on—
 - (i) the Ngāti Manuhiri values for the site; and
 - (ii) the protection principles for the site.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan in relation to a whenua rāhui site, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on a draft NCPS or a draft area plan (or draft amendments to the NCPS or to an area plan), the Minister must have

particular regard to the views of the trustees as to the effect of the NCPS, plan, or amendment on—

- (a) the Ngāti Manuhiri values for the site; and
- (b) the protection principles for the site.

377 Section 50 amended (Noting of whenua rāhui)

- (1) In section 50(1), replace “conservation document” with “area plan”.
- (2) Replace section 50(2)(b) with:
 - (b) is not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

378 Section 53 replaced (Amendment to strategy or plan)

Replace section 53 with:

53 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to a whenua rāhui site.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

379 Section 54 amended (Regulations)

In section 54(1)(a), replace “a strategy or plan” with “an area plan”.

380 Section 55 amended (Bylaws)

In section 55(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 25—Amendments to Ngāti Mutunga Claims Settlement Act
2006

381 Principal Act

This subpart amends the Ngāti Mutunga Claims Settlement Act 2006.

382 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
 - area plan** has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation document**, **conservation management plan**, **conservation management strategy**, and **national park management plan**.

383 Section 24 amended (Noting of DOC protocol)

- (1) In section 24(1), replace “conservation documents” with “area plans”.
- (2) Replace section 24(2)(b) with:

- (b) not an amendment to an area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 26—Amendments to Ngāti Pāoa Claims Settlement Act 2025

384 Principal Act

This subpart amends the Ngāti Pāoa Claims Settlement Act 2025.

385 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

386 Section 88 amended (Interpretation)

In section 88, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

387 Section 90 amended (Purposes of overlay classification)

In section 90(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

388 Section 92 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 92 with:

92 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

389 Section 93 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 93, replace “**strategies and**” with “**area**”.
- (2) In section 93(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 93(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

390 Section 96 replaced (Amendment to strategies or plans)

Replace section 96 with:

96 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

391 Section 97 amended (Regulations)

In section 97(1)(a), replace “a strategy or plan” with “an area plan”.

392 Section 98 amended (Bylaws)

In section 98(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 27—Amendments to Ngati Porou Claims Settlement Act 2012

393 Principal Act

This subpart amends the Ngati Porou Claims Settlement Act 2012.

394 Section 10 amended (Interpretation)

- (1) In section 10, insert in its appropriate alphabetical order:
area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 10, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.
- (3) In section 10, replace the definition of **conservation document** with:
conservation document means an area plan or a freshwater fisheries management plan

395 Section 41 amended (Conservation protocol)

Replace section 41(2)(b) with:

- (b) not an amendment to an area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 28—Amendments to Ngāti Rangi Claims Settlement Act 2019**396 Principal Act**

This subpart amends the Ngāti Rangi Claims Settlement Act 2019.

397 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

398 Section 40 amended (Interpretation)

In section 40, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

399 Section 42 amended (Purposes of Te Tāpora)

In section 42(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

400 Section 44 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 44 with:

44 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the Te Tāporā area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the Te Tāporā area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

401 Section 45 amended (Noting of Te Tāporā in strategies and plans)

- (1) In the heading to section 45, replace “**strategies and**” with “**area**”.
- (2) In section 45(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 45(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

402 Section 48 replaced (Amendment to strategies or plans)

Replace section 48 with:

48 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to the Te Tāpora area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

403 Section 49 amended (Regulations)

In section 49(1)(a), replace “a strategy or plan” with “an area plan”.

404 Section 50 amended (Bylaws)

In section 50(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 29—Amendments to Ngāti Rangiteaorere Claims Settlement Act
2014

405 Principal Act

This subpart amends the Ngāti Rangiteaorere Claims Settlement Act 2014.

406 Section 13 amended (Interpretation)

- (1) In section 13, insert in its appropriate alphabetical order:
area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 13, repeal the definitions of **conservation management plan** and **conservation management strategy**.

407 Section 27 amended (Conservation protocol)

- (1) In section 27(1), replace “conservation management strategy, conservation management plan, freshwater fisheries management plan, or national park management plan” with “area plan or freshwater fisheries management plan”.
- (2) Replace section 27(2)(b) with:
(b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

Subpart 30—Amendments to Ngāti Rangitihi Claims Settlement Act
2022

408 Principal Act

This subpart amends the Ngāti Rangitihi Claims Settlement Act 2022.

409 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

410 Section 41 amended (Interpretation)

In section 41, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

411 Section 43 amended (Purposes of whenua rāhui)

In section 43(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

412 Section 45 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 45 with:

45 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the whenua rāhui area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the whenua rāhui area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

413 Section 46 amended (Noting of whenua rāhui in strategies and plans)

- (1) In the heading to section 46, replace “**strategies and**” with “**area**”.
- (2) In section 46(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 46(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

414 Section 49 replaced (Amendment to strategies or plans)

Replace section 49 with:

49 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to the whenua rāhui area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

415 Section 50 amended (Regulations)

In section 50(1)(a), replace “a strategy or plan” with “an area plan”.

416 Section 51 amended (Bylaws)

In section 51(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 31—Amendments to Ngāti Rangiwewehi Claims Settlement Act 2014

417 Principal Act

This subpart amends the Ngāti Rangiwewehi Claims Settlement Act 2014.

418 Section 13 amended (Interpretation)

- (1) In section 13, insert in its appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 13, repeal the definitions of **conservation management plan** and **conservation management strategy**.

419 Section 28 amended (Conservation protocol)

- (1) In section 28(1), replace “conservation management strategy, conservation management plan, freshwater fisheries management plan, or national park management plan” with “area plan or freshwater fisheries management plan”.
- (2) Replace section 28(2)(b) with:
 - (b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

Subpart 32—Amendments to Ngāti Ruanui Claims Settlement Act 2003

420 Principal Act

This subpart amends the Ngāti Ruanui Claims Settlement Act 2003.

421 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation board**, **conservation document**, **conservation management plan**, **conservation management strategy**, and **national park management plan**.

422 Section 30 amended (Noting of DOC protocol)

- (1) In section 30(1), replace “conservation documents” with “area plans”.

- (2) Replace section 30(3)(b) with:

(b) is not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

423 Section 74 amended (Purposes of Taki Poipoia o Ngati Ruanui)

Replace section 74(1)(b) with:

(b) to give effect to the requirement that the Director-General and the Minister for Conservation must have particular regard to Ngati Ruanui values and the protection principles, as provided in **section 76**:

424 Section 76 replaced (Duty of New Zealand Conservation Authority and conservation boards in relation to Taki Poipoia o Ngati Ruanui)

Replace section 76 with:

76 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing the draft National Conservation Policy Statement or a draft area plan (or an amendment to the NCPS or to an area plan) that relates to the Taki Poipoia o Ngati Ruanui, the Director-General must have particular regard to—
- (a) Ngati Ruanui values; and
 - (b) the protection principles.
- (2) Before providing a final draft of an area plan (or amendments to an area plan) to the Minister of Conservation, the Director-General must—
- (a) consult the governance entity; and

- (b) have particular regard to the views of the governance entity as to the effect of the plan or amendment on Ngati Ruanui values.

Obligation on Minister of Conservation

- (3) When considering and making a decision on a draft area plan (or amendments to an area plan), the Minister must have particular regard to the views of the governance entity as to the effect of the plan or amendment on Ngati Ruanui values.

Definition

- (4) In this section, **National Conservation Policy Statement** or **NCPS** has the meaning given in section 2(1) of the Conservation Act 1987.

425 Section 77 amended (Notification of Taki Poipoia o Ngati Ruanui)

- (1) In section 77(1), replace “conservation documents” with “area plans”.
- (2) Replace section 77(2)(b) with:
 - (b) is not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

426 Section 79 replaced (Amendment of conservation documents)

Replace section 79 with:

79 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.
- (3) This section does not limit section 78(2).

427 Section 80 amended (Regulations)

In section 80(1)(a), replace “a conservation document” with “an area plan”.

428 Section 81 amended (Bylaws)

In section 81(1)(a), replace “a conservation document” with “an area plan”.

Subpart 33—Amendments to Ngati Tama Claims Settlement Act 2003

429 Principal Act

This subpart amends the Ngati Tama Claims Settlement Act 2003.

430 Section 9 amended (Interpretation)

- (1) In section 9, insert in its appropriate alphabetical order:
 - area plan** has the meaning given to it in section 2(1) of the Conservation Act 1987

- (2) In section 9, repeal the definitions of **conservation document**, **conservation management plan**, **conservation management strategy**, and **national park management plan**.

431 Section 24 amended (Noting of DOC protocol)

- (1) In section 24(1), replace “conservation documents” with “area plans”.
- (2) Replace section 24(3)(b) with:
- (b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 34—Amendments to Ngati Toa Rangatira Claims Settlement Act 2014

432 Principal Act

This subpart amends the Ngati Toa Rangatira Claims Settlement Act 2014.

433 Section 12 amended (Interpretation)

- (1) In section 12(1), insert in its appropriate alphabetical order:
- area plan** has the meaning given by section 2(1) of the Conservation Act 1987
- (2) In section 12(1), repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

434 Section 40 amended (Interpretation)

In section 40(2), repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

435 Section 43 amended (Purposes of nga paihau)

- (1) In section 43(a),—
- (a) replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General”; and
- (b) replace “sections 45 and 46” with “**section 45**”.
- (2) After section 43(a), insert:
- (aa) to require the Minister of Conservation to have particular regard to the statements of iwi values for the site, the protection principles for the site, and the views of the trustee of the Toa Rangatira Trust, as provided for in **section 46**; and
- (3) In section 43(b), replace “New Zealand Conservation Authority” with “Minister”.

436 Sections 45 to 47 replaced

Replace sections 45 to 47 with:

45 Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to a nga paihau site, the Director-General must have particular regard to—
 - (a) the statements of iwi values for the site; and
 - (b) the protection principles for the site.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustee of the Toa Rangatira Trust; and
 - (b) have particular regard to the views of the trustee of the Toa Rangatira Trust as to the effect of the plan or amendment on—
 - (i) the iwi values for the site; and
 - (ii) the protection principles for the site.

46 Obligations on Minister of Conservation

When considering and making a decision on a draft area plan or an amendment to an area plan, the Minister of Conservation must have particular regard to—

- (a) the statements of iwi values for the site; and
- (b) the protection principles for the site; and
- (c) the views of the trustee of the Toa Rangatira Trust as to the effect of the plan or amendment on—
 - (i) the iwi values for the site; and
 - (ii) the protection principles for the site.

47 Minister to give opportunity to make submissions

If the trustee of the Toa Rangatira Trust advises the Minister of Conservation in writing that it has significant concerns about a draft area plan or an amendment in relation to a nga paihau site, the Minister must, before considering and making a decision on the draft, give the trustee an opportunity to make submissions in relation to those concerns.

437 Section 48 amended (Noting of nga paihau)

- (1) In section 48(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (2) Replace section 48(2)(b) with:
 - (b) is not an amendment to an area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

438 Section 51 replaced (Amendment to strategy or plan)

Replace section 51 with:

51 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives relating to the protection principles that relate to a nga paihau site.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

439 Section 52 amended (Regulations)

In section 52(1)(a), replace “a strategy or plan” with “an area plan”.

440 Section 53 amended (Bylaws)

In section 53(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 35—Amendments to Ngāti Tūrangitukua Claims Settlement Act 1999

441 Principal Act

This subpart amends the Ngāti Tūrangitukua Claims Settlement Act 1999.

442 Section 20 amended (Noting of protocol)

- (1) In section 20(1), replace “conservation management strategies, conservation management plans, and national park management plans” with “area plans”.
- (2) Replace section 20(2) with:
 - (a) for the purpose of public notice only; and
 - (b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 36—Amendments to Ngāti Tuwharetoa (Bay of Plenty) Claims Settlement Act 2005

443 Principal Act

This subpart amends the Ngāti Tuwharetoa (Bay of Plenty) Claims Settlement Act 2005.

444 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given by section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **Conservation Board**, **conservation document**, **conservation management plan**, and **New Zealand Conservation Authority**.

445 Section 25 amended (Noting of DOC protocol)

- (1) In section 25(1), replace “conservation documents” with “area plans”.

(2) Replace section 25(3)(b) with:

- (b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

446 Section 101 amended (Purposes of Owhakatihi)

Replace section 101(1)(b) with:

- (b) give effect to the requirement that the Director-General and the Minister of Conservation have particular regard to Ngāti Tuwharetoa (Bay of Plenty) values, and the protection principles, as provided in **section 103**; and

447 Section 103 and 104 replaced

Replace sections 103 and 104 with:

103 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing the draft National Conservation Policy Statement or a draft area plan (or an amendment to the NCPS or an area plan) that relates to the Owhakatihi, the Director-General must have particular regard to—
 - (a) Ngāti Tuwharetoa (Bay of Plenty) values in relation to the Owhakatihi; and
 - (b) any protection principles agreed between the governance entity and the Crown under section 102.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the governance entity; and
 - (b) have particular regard to the views of the governance entity as to the effect of the NCPS, plan, or amendment on Ngāti Tuwharetoa (Bay of Plenty values) in relation to the Owhakatihi.

Obligation on Minister of Conservation

- (3) When considering and making a decision on the draft, the Minister must have particular regard to—
 - (a) Ngāti Tuwharetoa (Bay of Plenty) values in relation to the Owhakatihi; and
 - (b) any protection principles agreed between the governance entity and the Crown under section 102.

Definition

- (4) In this section, **National Conservation Policy Statement** or **NCPS** has the meaning given in section 2(1) of the Conservation Act 1987.

448 Section 105 amended (Notification of Owakatihi)

- (1) In section 105(1), replace “conservation documents” with “area plans”.
- (2) Replace section 105(2)(b) with:
 - (b) is not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

449 Section 107 replaced (Amendment to conservation documents)

Replace section 107 with:

107 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives relating to protection principles.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.
- (3) This section does not limit section 106(2).

450 Section 108 amended (Regulations)

In section 108(1)(a), replace “conservation documents” with “area plans”.

451 Section 109 amended (Bylaws)

In section 109(1)(a), replace “conservation documents” with “area plans”.

Subpart 37—Amendments to Ngāti Tūwharetoa Claims Settlement Act
2018

452 Principal Act

This subpart amends the Ngāti Tūwharetoa Claims Settlement Act 2018.

453 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

454 Section 48 amended (Interpretation)

In section 48(2), repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

455 Section 50 amended (Purposes of overlay classification)

In section 50(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

456 Section 52 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 52 with:

52 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay site, the Director-General must have particular regard to—
 - (a) the statement of values for the site; and
 - (b) the protection principles for the site.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the overlay site; and
 - (ii) any matters in the implementation of the protection principles for the overlay site.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay site, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the overlay site; and
 - (b) any matters in the implementation of the protection principles for the overlay site.

457 Section 53 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 53, replace “**strategies and**” with “**area**”.
- (2) In section 53(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 53(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

458 Section 56 replaced (Amendment to strategies or plans)

Replace section 56 with:

56 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay site.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

459 Section 57 amended (Regulations)

In section 57(1)(a), replace “a strategy or plan” with “an area plan”.

460 Section 58 amended (Bylaws)

In section 58(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 38—Amendments to Ngāti Whare Claims Settlement Act 2012**461 Principal Act**

This subpart amends the Ngāti Whare Claims Settlement Act 2012.

462 Section 10 amended (Interpretation)

- (1) In section 10, insert in its appropriate alphabetical order:
area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 10, repeal the definition of **conservation document**.

463 Section 45 amended (Conservation accord)

- (1) In section 45(1), replace “conservation documents” with “area plans”.
- (2) Replace section 45(2)(b) with:
(b) not an amendment to the plans for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 39—Amendments to Ngāti Whātua o Kaipara Claims Settlement Act 2013**464 Principal Act**

This subpart amends the Ngāti Whātua o Kaipara Claims Settlement Act 2013.

465 Section 55 amended (Interpretation)

- (1) In section 55, insert in its appropriate alphabetical order:
area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 55, replace the definition of **conservation document** with:

conservation document means an area plan or a freshwater fisheries management plan

- (3) In section 55, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

466 Section 57 amended (Noting of Te Kawenata on conservation documents)

In section 57(2)(b), delete “or the National Parks Act 1980”.

Subpart 40—Amendments to Ngāti Whātua Ōrakei Claims Settlement Act 2012

467 Principal Act

This subpart amends the Ngāti Whātua Ōrakei Claims Settlement Act 2012.

468 Section 10 amended (Interpretation)

In section 10, replace the definition of **conservation documents** with:

conservation documents means—

- (a) any area plan (within the meaning of section 2(1) of the Conservation Act 1987) affecting the conservation protocol area:
- (b) any freshwater fisheries management plan (within the meaning of section 2(1) of the Conservation Act 1987) affecting the conservation protocol area

469 Section 26 amended (Noting of conservation protocol)

Replace section 26(2)(b) with:

- (b) not an amendment to the conservation documents for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

Subpart 41—Amendments to Ngatikahu ki Whangaroa Claims Settlement Act 2017

470 Principal Act

This subpart amends the Ngatikahu ki Whangaroa Claims Settlement Act 2017.

471 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

472 Section 25 amended (Conservation protocol)

- (1) In section 25(1), replace “conservation management strategy, conservation management plan, freshwater fisheries management plan, or national park management plan” with “area plan or freshwater fisheries management plan”.
- (2) Replace section 25(2)(b) with:
 - (b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

473 Section 41 amended (Interpretation)

In section 41, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

474 Section 43 amended (Purposes of overlay classification)

In section 43(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

475 Section 45 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 45 with:

45 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the overlay area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.

- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
- (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

476 Section 46 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 46, replace “**strategies and**” with “**area**”.
- (2) In section 46(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 46(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

477 Section 49 replaced (Amendment to strategies or plans)

Replace section 49 with:

49 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to the overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

478 Section 50 amended (Regulations)

In section 50(1)(a), replace “a strategy or plan” with “an area plan”.

479 Section 51 amended (Bylaws)

In section 51(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 42—Amendments to Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009

480 Principal Act

This subpart amends the Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009.

481 Section 7 amended (Interpretation)

In section 7, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

482 Section 21 amended (Noting of DOC protocol)

- (1) In section 21(1), replace “conservation documents” with “area plans and freshwater fisheries management plans”.
- (2) Replace section 21(2)(b) with:
 - (b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

Subpart 43—Amendments to Pouakani Claims Settlement Act 2000

483 Principal Act

This subpart amends the Pouakani Claims Settlement Act 2000.

484 Section 9 amended (Interpretation)

In section 9, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

485 Section 47 amended (Noting of memorandum of understanding)

- (1) In section 47(1), replace “conservation management strategies and conservation management plans” with “area plans”.
- (2) Replace section 47(2) with:
 - (2) The noting of the memorandum of understanding is—
 - (a) for the purpose of public notice only; and
 - (b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 44—Amendments to Rangitāne o Manawatu Claims Settlement Act 2016

486 Principal Act

This subpart amends the Rangitāne o Manawatu Claims Settlement Act 2016.

487 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

488 Section 25 amended (Conservation protocol)

- (1) In section 25(1), replace “conservation management strategy, conservation management plan, freshwater fisheries management plan, or national park management plan” with “area plan or freshwater fisheries management plan”.

- (2) Replace section 25(2)(b) with:

(b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

489 Section 49 amended (Interpretation)

In section 49, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

490 Section 51 amended (Purposes of whenua rāhui)

In section 51(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

491 Section 53 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 53 with:

53 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to a whenua rāhui area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to a whenua rāhui area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—

- (a) any matters in the implementation of the statement of values for the area; and
- (b) any matters in the implementation of the protection principles for the area.

492 Section 54 amended (Noting of whenua rāhui in strategies and plans)

- (1) In the heading to section 54, replace “**strategies and**” with “**area**”.
- (2) In section 54(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 54(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

493 Section 57 replaced (Amendment to strategies or plans)

Replace section 57 with:

57 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to a whenua rāhui area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

494 Section 58 amended (Regulations)

In section 58(1)(a), replace “a strategy or plan” with “an area plan”.

495 Section 59 amended (Bylaws)

In section 59(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 45—Amendments to Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017

496 Principal Act

This subpart amends the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017.

497 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
 - area plan** has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

498 Section 42 amended (Interpretation)

In section 42, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

499 Section 44 amended (Purposes of overlay classification)

In section 44(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

500 Section 46 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 46 with:

46 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

501 Section 47 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 47, replace “**strategies and**” with “**area**”.
- (2) In section 47(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 47(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

502 Section 50 replaced (Amendment to strategies or plans)

Replace section 50 with:

50 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

503 Section 51 amended (Regulations)

In section 51(1)(a), replace “a strategy or plan” with “an area plan”.

504 Section 52 amended (Bylaws)

In section 52(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 46—Amendments to Raukawa Claims Settlement Act 2014

505 Principal Act

This subpart amends the Raukawa Claims Settlement Act 2014.

506 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

507 Section 42 amended (Interpretation)

In section 42, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

508 Section 44 amended (Purposes of overlay classification)

In section 44(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

509 Section 46 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 46 with:

46 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) the statement of values for the area; and
 - (ii) the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.

510 Section 47 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 47, replace “**strategies and**” with “**area**”.
- (2) In section 47(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 47(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

511 Section 50 replaced (Amendment to strategies or plans)

Replace section 50 with:

50 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

512 Section 51 amended (Regulations)

In section 51(1)(a), replace “a strategy or plan” with “an area plan”.

513 Section 52 amended (Bylaws)

In section 52(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 47—Amendments to Rongowhakaata Claims Settlement Act 2012

514 Principal Act

This subpart amends the Rongowhakaata Claims Settlement Act 2012.

515 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12, replace the definition of **conservation document** with:
conservation document means an area plan or a freshwater fisheries management plan
- (3) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

516 Section 27 amended (Conservation protocol)

Replace section 27(2)(b) with:

- (b) is not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

517 Section 44 amended (Notification of certain draft conservation management strategies)

- (1) In the heading to section 44, replace “**conservation management strategies**” with “**area plans**”.
- (2) In section 44, replace “a draft conservation management strategy is publicly notified under section 17F of the Conservation Act 1987” with “a draft area plan is publicly notified under **Schedule 3** of the Conservation Act 1987”.

Subpart 48—Amendments to Tapuika Claims Settlement Act 2014

518 Principal Act

This subpart amends the Tapuika Claims Settlement Act 2014.

519 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

520 Section 46 amended (Interpretation)

In section 46, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

521 Section 48 amended (Purposes of Whenua Rāhui)

In section 48(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

522 Section 50 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 50 with:

50 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the Whenua Rāhui area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) the statement of values for the area; and
 - (ii) the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the Whenua Rāhui area,

the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.

- (4) When considering and making a decision on the draft, the Minister must have particular regard to—
- (a) the statement of values for the area; and
 - (b) the protection principles for the area; and
 - (c) the views of the trustees as to the effect of the plan or amendment on—
 - (i) the statement of values for the area; and
 - (ii) the protection principles for the area.

523 Section 51 amended (Noting of Whenua Rāhui in strategies and plans)

- (1) In the heading to section 51, replace “**strategies and**” with “**area**”.
- (2) In section 51(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 51(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

524 Section 54 replaced (Amendment to strategies or plans)

Replace section 54 with:

54 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to the Whenua Rāhui area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

525 Section 55 amended (Regulations)

In section 55(1)(a), replace “a strategy or plan” with “an area plan”.

526 Section 56 amended (Bylaws)

In section 56(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 49—Amendments to Taranaki Iwi Claims Settlement Act 2016

527 Principal Act

This subpart amends the Taranaki Iwi Claims Settlement Act 2016.

528 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987

- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

529 Section 26 amended (Conservation protocol)

- (1) In section 26(1), replace “conservation management strategy, conservation management plan, freshwater fisheries management plan, or national park management plan” with “area plan or freshwater fisheries management plan”.
- (2) Replace section 26(2)(b) with:
- (b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

Subpart 50—Amendments to Te Arawa Lakes Settlement Act 2006

530 Principal Act

This subpart amends the Te Arawa Lakes Settlement Act 2006.

531 Section 11 amended (Interpretation)

- (1) In section 11, insert in its appropriate alphabetical order:
- area plan** has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 11, repeal the definition of **conservation document**.

532 Section 55 amended (Noting and effect of DOC protocol)

- (1) In section 55(1), replace “conservation documents” with “area plans”.
- (2) Replace section 55(2)(b) with:
- (b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 51—Amendments to Te Atiawa Claims Settlement Act 2016

533 Principal Act

This subpart amends the Te Atiawa Claims Settlement Act 2016.

534 Section 12 amended (Interpretation)

- (1) In section 12, insert in its appropriate alphabetical order:
- area plan** has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 12, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

535 Section 26 amended (Conservation protocol)

- (1) In section 26(1), replace “conservation management strategy, conservation management plan, freshwater fisheries management plan, or national park management plan” with “area plan or freshwater fisheries management plan”.
- (2) Replace section 26(2)(b) with:
 - (b) not an amendment to a plan for the purposes of **section 13K or Schedule 3** of the Conservation Act 1987.

536 Section 43 amended (Interpretation)

In section 43, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

537 Section 45 amended (Purposes of overlay classification)

In section 45(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

538 Section 47 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 47 with:

47 Obligations on Director-General and Minister of Conservation*Obligations of Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.

- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
- (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

539 Section 48 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 48, replace “**strategies and**” with “**area**”.
- (2) In section 48(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 48(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

540 Section 51 replaced (Amendment to strategies or plans)

Replace section 51 with:

51 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

541 Section 52 amended (Regulations)

In section 52(1)(a), replace “a strategy or plan” with “an area plan”.

542 Section 53 amended (Bylaws)

In section 53(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 52—Amendments to Te Kawerau ā Maki Claims Settlement Act 2015

543 Principal Act

This subpart amends the Te Kawerau ā Maki Claims Settlement Act 2015.

544 Section 41 amended (Interpretation)

- (1) In section 41, insert in its appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987

- (2) In section 41, repeal the definitions of **Conservation Board**, **conservation management plan**, **conservation management strategy**, **national park management plan**, and **New Zealand Conservation Authority**.

545 Section 43 amended (Purposes of whenua rāhui)

In section 43(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

546 Section 45 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 45 with:

45 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the whenua rāhui area, the Director-General must have particular regard to—
- (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the statement of values for the area; and
 - (ii) the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the whenua rāhui area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
- (a) any matters in the statement of values for the area; and
 - (b) the implementation of the protection principles for the area.

547 Section 46 amended (Noting of whenua rāhui in strategies and plans)

- (1) In the heading to section 46, replace “**strategies and**” with “**area**”.

- (2) In section 46(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 46(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

548 Section 49 replaced (Amendment to strategies or plans)

Replace section 49 with:

49 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles that relate to the whenua rāhui area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

549 Section 50 amended (Regulations)

In section 50(1)(a), replace “a strategy or plan” with “an area plan”.

550 Section 51 amended (Bylaws)

In section 51(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 53—Amendments to Te Korowai o Wainuiārua Claims
Settlement Act 2025

551 Principal Act

This subpart amends the Te Korowai o Wainuiārua Claims Settlement Act 2025.

552 Section 12 amended (Interpretation)

- (1) In section 12(1), insert in its appropriate alphabetical order:
 - area plan** has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 12(1), repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

553 Section 43 amended (Interpretation)

In section 43, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

554 Section 45 amended (Purposes of overlay classification)

In section 45(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

555 Section 47 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 47 with:

47 Obligations on Director-General and Minister of Conservation

Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to an overlay area, the Director-General must have particular regard to—
 - (a) the statement of values for the area; and
 - (b) the protection principles for the area.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statement of values for the area; and
 - (ii) any matters in the implementation of the protection principles for the area.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to an overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statement of values for the area; and
 - (b) any matters in the implementation of the protection principles for the area.

556 Section 48 amended (Noting of overlay classifications in strategies and plans)

- (1) In the heading to section 48, replace “**strategies and**” with “**area**”.
- (2) In section 48(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 48(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

557 Section 51 replaced (Amendment to strategies or plans)

Replace section 51 with:

51 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives or policies for the protection principles that relate to an overlay area.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

558 Section 52 amended (Regulations)

In section 52(1)(a), replace “a strategy or plan” with “an area plan”.

559 Section 53 amended (Bylaws)

In section 53(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 54—Amendments to Te Rohe o Rongokako Joint Redress Act
2022

560 Principal Act

This subpart amends the Te Rohe o Rongokako Joint Redress Act 2022.

561 Section 8 amended (Interpretation)

- (1) In section 8, insert in its appropriate alphabetical order:
area plan has the meaning given to it in section 2(1) of the Conservation Act 1987
- (2) In section 8, repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

562 Section 9 amended (Interpretation)

In section 9, repeal the definitions of **Conservation Board** and **New Zealand Conservation Authority**.

563 Section 11 amended (Purposes of overlay classification)

In section 11(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.

564 Section 13 replaced (Obligations on New Zealand Conservation Authority and Conservation Boards)

Replace section 13 with:

13 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) that relates to the overlay area, the Director-General must have particular regard to—
 - (a) the statements of values; and
 - (b) the protection principles.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the joint redress trustees; and
 - (b) have particular regard to the views of the joint redress trustees as to the effect of the plan or amendment on—
 - (i) any matters in the implementation of the statements of values; and
 - (ii) any matters in the implementation of the protection principles.

Obligations on Minister of Conservation

- (3) If the joint redress trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to the overlay area, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to the views of the joint redress trustees as to the effect of the plan or amendment on—
 - (a) any matters in the implementation of the statements of values; and
 - (b) any matters in the implementation of the protection principles.

565 Section 14 amended (Noting of overlay classification in strategies and plans)

- (1) In the heading to section 14, replace “**strategies and**” with “**area**”.
- (2) In section 14(1), replace “conservation management strategy, conservation management plan, or national park management plan” with “area plan”.
- (3) Replace section 14(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

566 Section 17 replaced (Amendment to strategies or plans)

Replace section 17 with:

17 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives for the protection principles.

(2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.

567 Section 18 amended (Regulations)

In section 18(1)(a), replace “a strategy or plan” with “an area plan”.

568 Section 19 amended (Bylaws)

In section 19(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 55—Amendments to Te Roroa Claims Settlement Act 2008

569 Principal Act

This subpart amends the Te Roroa Claims Settlement Act 2008.

570 Section 10 amended (Interpretation)

(1) In section 10, insert in its appropriate alphabetical order:

area plan has the meaning given to it in section 2(1) of the Conservation Act 1987

(2) In section 10, repeal the definitions of **conservation document**, **conservation management plan**, **conservation management strategy**, and **national park management plan**.

571 Section 22 amended (Noting and effect of Te Roroa–DOC protocol)

(1) In section 22(1), replace “conservation documents” with “area plans”.

(2) Replace section 22(2)(b) with:

(b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

572 Section 52 amended (Purposes of Te Tarehu)

Replace section 52(1)(b) with:

(b) require the Director-General and the Minister of Conservation to comply with the obligations in **section 56**; and

573 Section 54 amended (New Zealand Conservation Authority and Conservation Boards to have particular regard to Te Roroa values)

In section 54, delete “any conservation documents (including draft documents), or”.

574 Section 55 amended (New Zealand Conservation Authority and Conservation Boards to consult with trustees of Manawhenua Trust)

In section 55,—

(a) delete “approving a conservation document or”; and

(b) delete “conservation document or”.

575 Section 56 replaced (Conservation management strategy)

Replace section 56 with:

56 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing a draft area plan (or an amendment to an area plan) in relation to Te Tarehu, the Director-General must have particular regard to—
 - (a) Te Roroa values in relation to Te Tarehu; and
 - (b) the protection principles.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees of the Manawhenua Trust (the **trustees**); and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) Te Roroa values in relation to Te Tarehu; and
 - (ii) the protection principles.

Obligations on Minister of Conservation

- (3) If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to Te Tarehu, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.
- (4) When considering and making a decision on the draft, the Minister must have particular regard to—
 - (a) Te Roroa values in relation to Te Tarehu; and
 - (b) the protection principles; and
 - (c) the views of the trustees as to the effect on the plan or amendment on—
 - (i) Te Roroa values in relation to Te Tarehu; and
 - (ii) the protection principles.

576 Section 57 amended (Notification of Te Tarehu)

- (1) In section 57(1), replace “conservation documents” with “area plans”.
- (2) Replace section 57(2)(b) with:
 - (b) not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

577 Section 60 replaced (Amendment to conservation documents)

Replace section 60 with:

60 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives relating to protection principles.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.
- (3) This section does not limit section 58(2).

578 Section 61 amended (Regulations)

In section 61(1)(a), replace “conservation documents” with “an area plan”.

579 Section 62 amended (Bylaws)

- (1) In section 62(1), after “any”, insert “of”.
- (2) In section 62(1)(a), replace “conservation documents” with “an area plan”.

Subpart 56—Amendments to Te Uri o Hau Claims Settlement Act 2002**580 Principal Act**

This subpart amends the Te Uri o Hau Claims Settlement Act 2002.

581 Section 39 amended (Interpretation)

- (1) In section 39, insert in its appropriate alphabetical order:
area plan has the same meaning as in section 2(1) of the Conservation Act 1987
- (2) In section 39, repeal the definitions of **conservation board** and **New Zealand Conservation Authority**.

582 Section 41 amended (Purposes of Kirihipi overlay area)

Replace section 41(1)(b) with:

- (b) to give effect to the requirement that the Director-General and Minister of Conservation have particular regard to Te Uri o Hau values and views and those specific principles, as provided in **section 44**; and

583 Section 44 and 45 replaced

Replace sections 44 and 45 with:

44 Obligations on Director-General and Minister of Conservation*Obligations on Director-General*

- (1) When preparing the draft National Conservation Policy Statement or a draft area plan (or an amendment to the NCPS or to an area plan) that relates to a Kirihipi overlay area, the Director-General must have particular regard to—
 - (a) Te Uri o Hau values in relation to the Kirihipi overlay area; and
 - (b) any specific principles agreed between Te Uri o Hau governance entity and the Crown under section 43 (the **principles**).

- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
- (a) consult Te Uri o Hau governance entity; and
 - (b) have particular regard to its views as to the effect of the NCPS, plan, or amendment on Te Uri o Hau values in relation to the Kirihipi overlay area.

Obligation on Minister of Conservation

- (3) When considering and making a decision on the draft, the Minister must have particular regard to—
- (a) Te Uri o Hau values in relation to the Kirihipi overlay area; and
 - (b) the principles; and
 - (c) the views of Te Uri o Hau governance entity as to the effect of the NCPS, plan, or amendment on Te Uri o Hau values in relation to the Kirihipi overlay area.

Definition

- (4) In this section, **National Conservation Policy Statement** or **NCPS** has the meaning given in section 2(1) of the Conservation Act 1987.

584 Section 46 amended (Notification of Kirihipi overlay areas)

- (1) In section 46(1), replace “conservation management plans, conservation management strategies, and national park management plans” with “area plans”.
- (2) Replace section 46(2)(b) with:
- (b) is not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

585 Section 48 replaced (Amendments to strategies and plans)

Replace section 48 with:

48 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives relating to the specific principles agreed under section 43.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.
- (3) This section does not limit section 47(2).

586 Section 49 amended (Regulations)

In section 49(1)(a), replace “conservation management strategies, conservation management plans, and national park management plans” with “area plans”.

587 Section 50 amended (Bylaws)

In section 50(1)(a), replace “conservation management strategies, conservation management plans, and national park management plans” with “area plans”.

588 Section 110 amended (Noting of conservation protocol)

- (1) In section 110(1), replace “conservation management plans, conservation management strategies, and national park management plans” with “area plans”.
- (2) Replace section 110(2)(b) with:
 - (b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

Subpart 57—Amendments to Waitaha Claims Settlement Act 2013**589 Principal Act**

This subpart amends the Waitaha Claims Settlement Act 2013.

590 Section 9 amended (Interpretation)

- (1) In section 9, insert in its appropriate alphabetical order:

area plan has the meaning given in section 2(1) of the Conservation Act 1987
- (2) In section 9, repeal the definitions of **conservation management plan** and **conservation management strategy**.

591 Section 22 amended (Noting and effect of conservation protocol)

- (1) Replace section 22(1) with:
 - (1) A summary of the terms of the conservation protocol must be noted in any area plans that affect the conservation protocol area.
- (2) Replace section 22(2)(b) with:
 - (b) not an amendment to a plan for the purposes of **Schedule 3** of the Conservation Act 1987.

592 Section 41 amended (Interpretation)

In section 41(2), repeal the definitions of **conservation board**, **national park management plan**, and **New Zealand Conservation Authority**.

593 Section 44 amended (Purposes of Te Whakairinga Kōrero)

- (1) In section 44(a), replace “New Zealand Conservation Authority and relevant Conservation Boards” with “Director-General and the Minister of Conservation”.
- (2) In section 44(a)(i), replace “section 46” with “**sections 46 and 47**”.
- (3) In section 44(a)(ii), replace “section 47” with “**sections 46 and 47**”.
- (4) In section 44(b), replace “New Zealand Conservation Authority” with “Minister”.

594 Sections 46 to 48 replaced

Replace sections 46 to 48 with:

46 Obligations on Director-General

- (1) When preparing a draft area plan (or an amendment to an area plan) in relation to a Te Whakairinga Kōrero site, the Director-General must have particular regard to—
 - (a) the applicable statement of Waitaha values; and
 - (b) the applicable protection principles.
- (2) Before providing the final draft to the Minister of Conservation, the Director-General must—
 - (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the plan or amendment on—
 - (i) Waitaha values for the Te Whakairinga Kōrero site; and
 - (ii) the protection principles for the site.

47 Obligations on Minister for Conservation

When considering and making a decision on a draft area plan (or an amendment to an area plan) in relation to a Te Whakairinga Kōrero site, the Minister of Conservation must have particular regard to—

- (a) the applicable statement of Waitaha values; and
- (b) the applicable protection principles; and
- (c) the views of the trustees as to the effect of the plan or amendment on—
 - (i) Waitaha values for the Te Whakairinga Kōrero site; and
 - (ii) the protection principles for the site.

48 Opportunity to make submissions

If the trustees advise the Minister in writing that they have significant concerns about a draft area plan or an amendment in relation to a Te Whakairinga Kōrero site, the Minister must, before considering and making a decision on the draft, give the trustees an opportunity to make submissions in relation to those concerns.

595 Section 49 amended (Noting of Te Whakairinga Kōrero)

- (1) Replace section 49(1) with:
 - (1) The declaration of Te Whakairinga Kōrero must be noted in any area plans that affect a Te Whakairinga Kōrero site.
- (2) Replace section 49(2)(b) with:
 - (b) is not an amendment to the area plan for the purposes of **Schedule 3** of the Conservation Act 1987.

596 Section 52 replaced (Amendment of conservation documents)

Replace section 52 with:

52 Amendment to area plans

- (1) The Director-General may initiate an amendment to an area plan to incorporate objectives relating to the the protection principles.
- (2) **Schedule 3** of the Conservation Act 1987 applies to the amendment.
- (3) This section does not limit section 51(2).

597 Section 53 amended (Regulations)

In section 53(1)(a), replace “a strategy or plan” with “an area plan”.

598 Section 54 amended (Bylaws)

In section 54(1)(a), replace “a strategy or plan” with “an area plan”.

Subpart 58—Other consequential or minor amendments to Treaty
settlement Acts

599 Other consequential or minor amendments to Treaty settlement Acts

Amend the Acts specified in **Part 2 of Schedule 6** as set out in that Part.

Schedule 1
New Part 3 inserted into Schedule 1AA of Conservation Act 1987

s 44

Part 3
Provisions relating to Conservation Amendment Act 2026

7 Definitions

In this Part,—

amendment Act means the Conservation Amendment Act **2026**

commencement date means the date on which the amendment Act comes into force

current application means an application for a concession—

- (a) made under this Act, the National Parks Act 1980, the Reserves Act 1977, or the Wildlife Act 1953; but
- (b) not determined before the commencement of the amendment Act

current variation application means an application for a variation to the terms and conditions of a concession—

- (a) made under this Act, the National Parks Act 1980, the Reserves Act 1977, or the Wildlife Act 1953; but
- (b) not determined before the commencement of the amendment Act

existing plan means—

- (a) a document that was in force immediately before the commencement date; and
- (b) that is one of the following:
 - (i) a conservation management strategy:
 - (ii) a conservation management plan

former Part 3B means Part 3B of this Act as it read immediately before the commencement date

listed Act means—

- (a) this Act:
- (b) the Marine Mammals Protection Act 1978:
- (c) the Marine Reserves Act 1971:
- (d) the National Parks Act 1980:
- (e) the Reserves Act 1977:
- (f) the Wild Animal Control Act 1977:
- (g) the Wildlife Act 1953

new Part 3B means **Part 3B** of this Act as inserted by the amendment Act.

Subpart 1—Transitional, savings and related provisions (other than provisions relating to concessions and Treaty settlement Acts)

National Conservation Policy Statement

8 First National Conservation Policy Statement

The Minister may make the first National Conservation Policy Statement without the process in **Schedule 2** being followed.

9 Statement of general policy ceases to have effect when replaced by NCPS

The Conservation General Policy (published May 2005, amendments to Chapters 2 and 4 June 2007, technical amendment July 2019) ceases to have effect on and from the date that the first NCPS comes into force.

10 Existing statements of general policy

- (1) This clause applies to any person fulfilling an obligation to do something in accordance with the NCPS if that obligation is imposed on them by or under a listed Act.
- (2) Until the first NCPS is made, that obligation must be treated as an obligation to act in accordance with—
 - (a) the general policy statement referred to in **clause 9**; and
 - (b) any other general policy statement (however described) relevant to the listed Act under which the obligation arises.

Area plans

11 Existing plans continue in effect until replaced by area plans

- (1) This clause applies if—
 - (a) immediately before the commencement date, an existing plan applied to an area; and
 - (b) an area plan has not come into effect for that area.
- (2) The existing plan remains in effect for that area until replaced by an area plan except that, on and from the date that the first NCPS comes into force, it ceases to have effect for that area to the extent of any inconsistency with the NCPS.
- (3) While an existing plan (or any part of it) is in effect,—
 - (a) any references in a listed Act to an area plan must be read as references to the existing plan, with any necessary modifications; and
 - (b) any obligation imposed on a person by or under a listed Act to do something in accordance with an area plan must be treated as an obligation to do the thing in accordance with the existing plan.

- (4) **Subclause (3)** does not apply in relation to the National Parks Act 1980 (*see clause 5 of Schedule 1AA* of that Act, which provides that existing national park management plans remain in effect until replaced by area plans).

Authorisations

12 Authorisations

- (1) Subject to **subclause (4)**, this clause applies to an authorisation (however described) that—
- (a) is issued or granted by the Minister or the Director-General under this Act or an Act listed in Schedule 1 after the commencement date; and
 - (b) is required to be consistent with the NCPS or an area plan; and
 - (c) is issued or granted at a time when there is no NCPS or relevant area plan.
- (2) Until the NCPS is made, the requirement that the authorisation be consistent with the NCPS must be treated as a requirement that the authorisation be consistent with statements of general policy under the relevant Act.
- (3) Until the relevant area plan is made, the requirement for the authorisation to be consistent with that area plan must be treated as a requirement that the authorisation be consistent with the relevant existing plan.
- (4) Nothing in this clause applies to a concession granted in relation to a current application or a current variation application (*see clause 20* instead).

Exchanges and disposals of land

13 Exchanges of land

- (1) **Subclause (2)** applies to a land exchange proposal or a disposal of land proposal under this Act in relation to which, immediately before the commencement date, any or all of the following apply:
- (a) there has been consultation with Māori groups with relevant interests in relation to the proposal;
 - (b) the proposal has been publicly notified;
 - (c) an agreement in writing in relation to the proposal has been entered into by the relevant parties.
- (2) The proposal must be completed in accordance with the requirements of this Act as it read immediately before the amendment Act commenced.
- (3) Any other land exchange proposal or disposal of land proposal begun before the commencement date must be completed in accordance with **Part 3C** of this Act.

*Amenity areas***14 Renaming of amenity areas**

- (1) This clause applies to land that, immediately before the commencement date, was an amenity area under section 23A.
- (2) On and from the commencement date, the land is deemed to be a natural character area under that section.

15 Land under section 63

- (1) This clause applies to land that, immediately before the commencement date, was eligible to be declared an amenity area by operation of section 63(1).
- (2) If, after the commencement date, a declaration is made under section 18(1) for that land, the land may be declared a natural character area under section 23A.

*Visitor amenities areas***16 Visitor amenities area established before area plan**

- (1) This clause applies to any land that is proposed to be set apart—
 - (a) as a visitor amenities area under **Part 3D**; but
 - (b) before there is an area plan that applies to that land.
- (2) Despite the lack of an area plan,—
 - (a) a visitor amenities area chapter in relation to the proposal must be developed in accordance with **Part 3D**; and
 - (b) if the proposal proceeds, the VAA chapter set out in the Minister's decision under **section 16E** is the area plan for that land.
- (3) Once an area plan is made under Part 3A that includes the geographic area of the visitor amenities area, the chapter is deemed to be part of that plan on and from the date that plan comes into effect.

*Cost recovery***17 Cost recovery**

- (1) On and from the commencement date, the Director-General may recover costs under **section 60BA** in relation to dealings with a matter begun before the commencement date.
- (2) However, the Director-General may do so only in relation to costs incurred after the commencement date.

Subpart 2—Transitional, savings, and related provisions relating to concessions

18 General rule

- (1) A current application must be determined in accordance with former Part 3B unless this subpart provides otherwise.
- (2) A current variation application must be determined in accordance with former Part 3B unless this subpart provides otherwise.

19 Minister requires further information

- (1) This clause applies if the Minister—
 - (a) requires an applicant for a current application or a current variation application to supply further information by notice under section 17SD of former Part 3B; and
 - (b) requires the information to be supplied after the commencement date.
- (2) The date by which the information must be supplied must be no later than 10 working days from the date on which notice is given under that section, unless a later date is specified in the notice.

20 Management planning matters

NCPS-related

- (1) **Subclause (2)** applies to a current application determined before the NCPS comes into effect.
- (2) The Minister must decline the application if the proposed activity would be contrary to or inconsistent with statements of general policy under the Act that is relevant to that application.
- (3) **Subclause (4)** applies to a current application to be determined after the NCPS has come into effect.
- (4) The Minister must decline the current application if the proposed activity would be contrary to or inconsistent with the NCPS.

Area-plan related

- (5) **Subclause (6)** applies to a current application determined before an area plan covering the area in relation to which the proposed activity will be carried out has come into effect.
- (6) The Minister must decline the current application if the proposed activity would be contrary to or inconsistent with an existing plan, having taken into account **clause 11** and, if the application relates to a national park, **clause 5 of Schedule 1AA** of the National Parks Act 1980.
- (7) **Subclause (8)** applies to a current application determined after an area plan described in **subsection (5)** comes into effect.

- (8) The Minister must decline the current application if the proposed activity would be contrary to or inconsistent with that area plan.

21 Reconsideration of current applications

- (1) Section 17ZJ of former Part 3B applies to the reconsideration of a current application.
- (2) However, any application for reconsideration under that section must be made no later than 6 months after the commencement date.

22 Application of subpart 5 of new Part 3B

- (1) **Subpart 5 of Part 3B** (as inserted by **section 23** of the amendment Act) applies to any concession granted as the result of a current application or a current variation application.
- (2) To avoid doubt, **section 14ZM(2)** (which prohibits the Minister from imposing certain conditions on the concession) applies to the concession.

23 Certain applications to be publicly available

Section 17ZI of former Part 3B continues to apply to any application for a concession received before the commencement date.

Subpart 3—Transitional, savings, and related provisions for upholding Treaty settlements and arrangements under Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019

24 Crown to seek to enter agreements to uphold Treaty settlement redress or arrangements

- (1) To assist in the transition from this Act's previous land management provisions, the Crown will work with any post-settlement governance entity and the ngā hapū o Ngāti Porou governance entity, if they wish to do so, to seek agreement on how their Treaty settlement redress or arrangements will operate with the same or equivalent effect to the greatest extent possible under the amendments made by the amendment Act.
- (2) The Crown will, when working with an entity under **subclause (1)**,—
- (a) discuss, for the purpose of reaching agreement with the entity, how the Treaty settlement redress or arrangements could operate under the amendments made by the amendment Act in a way that would have the same or equivalent effect to the greatest extent possible; and
 - (b) following those discussions, and where agreement is reached, enter into an agreement with the entity to record the agreement reached (which may include entering into a deed to amend the relevant Treaty settlement deed).

- (3) This clause ceases to have effect on and from the second anniversary of the commencement date.
- (4) However, **subclause (3)** does not, after that date, prevent the Crown from—
- (a) continuing discussions or entering an agreement started in accordance with **subclause (2)**; or
 - (b) entering into an agreement of the nature set out in **subclause (2)(b)** with an entity; or
 - (c) progressing any legislation necessary to give effect to any such agreement.
- (5) For the purposes of this clause and **clause 25**,—
- post-settlement governance entity**—
- (a) means a body corporate or the trustees of a trust established by a claimant group for the purposes of receiving redress or participating in arrangements established under a Treaty settlement Act; and
 - (b) includes an entity established to represent a collective or combination of claimant groups
- this Act's previous land management provisions** means the provisions of this Act as they were immediately before the amendment Act received Royal assent
- Treaty settlement redress or arrangements** means any of the following as they specifically relate to this Act's previous land management provisions:
- (a) redress in a Treaty settlement Act;
 - (b) redress in a signed deed of settlement;
 - (c) the arrangements under the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
- 25 Treaty redress or arrangements to be given same or equivalent effect**
- (1) **Subclause (2)** applies to Treaty settlement redress or arrangements until an agreement is reached under **clause 24**.
- (2) In relation to any particular Treaty settlement redress or arrangements, all persons exercising and performing functions, duties, and powers under this Act must, to the greatest extent possible under the amendment Act, give an effect that is the same as, or equivalent to, the effect that the redress or arrangement has in relation to this Act's previous land management provisions.

Schedule 2

Schedules 2 and 3 of Conservation Act 1987 replaced

s 45

Schedule 2

Process for making or amending National Conservation Policy Statement

s 13D

1 Overview of processes for making or amending NCPS

- (1) **Clauses 2 to 7** set out the standard process for making or amending the NCPS, which consists of the following steps:
 - (a) the Minister directs the Director-General to prepare a draft of the new or amended NCPS (**clause 2**);
 - (b) advance consultation with iwi authorities, the Conservation Authority, and conservation boards (**clause 3**);
 - (c) general consultation (**clause 4**);
 - (d) preparation of a summary of comments and an impact analysis report (**clause 5**);
 - (e) final consultation with iwi authorities, the Conservation Authority, and conservation boards (**clause 6**);
 - (f) the Minister considers and decides on the new or amended NCPS (**clause 7**).
- (2) **Clauses 8 to 13** set out a short process that applies only to particular kinds of amendments dealing solely with pre-approved or exempt activities.
- (3) **Clause 14** sets out the process for making minor or technical amendments to the NCPS.
- (4) This clause is intended as a guide only.

Standard process

2 Standard process: direction to prepare draft

- (1) The Minister may direct the Director-General to prepare—
 - (a) a new NCPS; or
 - (b) amendments to the existing NCPS.
- (2) The Director-General must prepare a draft of the new or amended NCPS.

3 Standard process: advance consultation

- (1) The Director-General must carry out advance consultation by inviting written comments on the draft from the following:
 - (a) the Conservation Authority;
 - (b) iwi authorities;
 - (c) conservation boards.
- (2) If the draft contains any new or amended provisions relating to the Marine Reserves Act 1971 or the Marine Mammals Protection Act 1978, the Director-General must also invite comments from the chief executives of the departments responsible for administering the following Acts:
 - (a) the Fisheries Act 1996;
 - (b) the Maritime Transport Act 1994;
 - (c) the Resource Management Act 1991.
- (3) The invitation to provide comments must—
 - (a) include a copy of the draft; and
 - (b) specify the date by which the comments must be received by the Director-General, being a date no earlier than 40 working days after the date on which the invitation is given.
- (4) The Director-General—
 - (a) must consider any comments received; and
 - (b) may revise the draft in response.

4 Standard process: general consultation

- (1) After advance consultation and any revision, the Director-General must carry out general consultation by—
 - (a) publicly notifying the draft; and
 - (b) inviting written comments on it from the following:
 - (i) the public;
 - (ii) the Conservation Authority;
 - (iii) iwi authorities;
 - (iv) affected customary marine title holders;
 - (v) conservation boards;
 - (vi) the New Zealand Fish and Game Council.
- (2) If the draft contains any new or amended provisions relating to the Marine Reserves Act 1971 or the Marine Mammals Protection Act 1978, the Director-General must also invite comments from the chief executives of the departments responsible for administering the following Acts:
 - (a) the Fisheries Act 1996;

- (b) the Maritime Transport Act 1994;
 - (c) the Resource Management Act 1991.
- (3) The invitation to provide comments must—
 - (a) include a copy of the draft; and
 - (b) specify the date by which those comments must be received by the Director-General, being a date no earlier than 40 working days after the date on which the invitation is given.

5 Standard process: revision, summary of comments, and impact analysis report

- (1) After general consultation, the Director-General—
 - (a) may revise the draft in response; and
 - (b) must prepare—
 - (i) a summary of comments from general consultation; and
 - (ii) an impact analysis report.
- (2) The impact analysis report must include an assessment of the potential impact of the new NCPS or the amendments on the rights and interests of Māori.

6 Standard process: final consultation

- (1) After preparing the summary of comments, impact analysis, and any revision of the draft, the Director-General must carry out final consultation by inviting written comments from the persons specified in **clause 3(1)** and, if applicable, **clause 3(2)**.
- (2) The invitation to provide comments must—
 - (a) include the following:
 - (i) a copy of the draft;
 - (ii) the summary of comments from general consultation;
 - (iii) the impact analysis report; and
 - (b) specify the date by which those comments must be received by the Director-General, being a date no earlier than 40 working days after the date on which the invitation is given.
- (3) After final consultation, the Director-General may revise the draft in response.

7 Standard process: decision

- (1) After final consultation and any revision, the Director-General must provide the following to the Minister:
 - (a) the draft;
 - (b) the documents listed in **subclause (3)**.
- (2) The Minister must decide to—

- (a) make the new or amended NCPS as shown in the draft; or
 - (b) refuse to make the new or amended NCPS; or
 - (c) refer the draft back to the Director-General for further revision, after which it may be resubmitted to the Minister under this clause.
- (3) In making a decision, the Minister must consider—
- (a) the summary of comments from general consultation:
 - (b) the impact analysis report:
 - (c) the written comments (if any) given in final consultation.

Short process

8 Short process: when short process applies

Clauses 9 to 13 apply instead of **clauses 2 to 7** if—

- (a) the NCPS is to be amended solely to add, remove, or amend activities as exempt activities or pre-approved activities; and
- (b) the Minister directs the Director-General to use the short process.

9 Short process: preparation of draft

The Director-General must prepare a draft of the amended NCPS.

10 Short process: general consultation

- (1) After preparing the draft, the Director-General must carry out general consultation by—
- (a) publicly notifying the draft; and
 - (b) inviting written comments on it from the following:
 - (i) the public;
 - (ii) the Conservation Authority;
 - (iii) relevant iwi authorities;
 - (iv) affected customary marine title holders;
 - (v) relevant conservation boards;
 - (vi) the New Zealand Fish and Game Council.
- (2) The invitation to provide comments must—
- (a) include a copy of the draft; and
 - (b) specify the date by which those comments must be received by the Director-General, being a date no earlier than 20 working days after the date on which the invitation is given.

11 Short process: revision, summary of comments, and impact analysis report

- (1) After general consultation, the Director-General—

- (a) may revise the draft in response; and
 - (b) must prepare—
 - (i) a summary of comments from general consultation; and
 - (ii) an impact analysis report.
- (2) The impact analysis report must include an assessment of the potential impact of the amendments on the rights and interests of Māori.

12 Short process: final consultation

- (1) After preparing the summary of comments, impact analysis, and any revision of the draft, the Director-General must carry out final consultation by inviting written comments from the following:
 - (a) the Conservation Authority;
 - (b) relevant iwi authorities;
 - (c) relevant conservation boards.
- (2) The invitation to provide comments must—
 - (a) include the following:
 - (i) a copy of the draft;
 - (ii) the summary of comments from general consultation;
 - (iii) the impact analysis report; and
 - (b) specify the date by which those comments must be received by the Director-General, being a date no earlier than 20 working days after the date on which the invitation is given.
- (3) After final consultation, the Director-General may revise the draft in response.

13 Short process: decision

- (1) After final consultation and any revision, the Director-General must provide the following to the Minister:
 - (a) the draft;
 - (b) the documents listed in **subclause (3)**.
- (2) The Minister must decide to—
 - (a) make the amended NCPS as shown in the draft; or
 - (b) refuse to make the amended NCPS; or
 - (c) refer the draft back to the Director-General for further revision, after which it may be resubmitted to the Minister under this clause.
- (3) In making a decision, the Minister must consider—
 - (a) the summary of comments from general consultation;
 - (b) the impact analysis report;

- (c) the written comments (if any) given in final consultation.

Minor and technical amendments

14 Minor and technical amendments

- (1) This clause, instead of **clauses 2 to 13**, applies if—
 - (a) the Director-General considers a minor or technical amendment to the NCPS is necessary; or
 - (b) the Minister directs the Director-General to prepare a minor or technical amendment to the NCPS.
- (2) The Director-General must prepare a draft of the amendment and provide it to the Minister.
- (3) The Minister must decide to—
 - (a) make the amendment; or
 - (b) refuse to make the amendment; or
 - (c) refer the draft back to the Director-General for further revision, after which it may be resubmitted to the Minister under this clause.

Hearings

15 Hearings

- (1) A submitter on a publicly notified draft NCPS or amendment has no right to be heard on their submission.
- (2) However, the Minister may give such a submitter the opportunity to be heard.

Schedule 3

Process for making or amending area plans

s 13H

1 Overview of processes for making or amending area plan

- (1) **Clauses 2 and 3** set out how the Minister may direct the Director-General to prepare a new or an amended area plan.
- (2) **Clauses 4 to 11** set out the standard process for making or amending area plans, which includes the following steps:
 - (a) initial consultation with conservation boards and iwi authorities (**clause 5**):
 - (b) the Director-General prepares a draft (**clause 6**):
 - (c) advance consultation with conservation boards and iwi authorities (**clause 7**):
 - (d) general consultation (**clause 8**):
 - (e) preparation of a summary of comments and an impact analysis report (**clause 9**):
 - (f) final consultation with the Conservation Authority, conservation boards, and iwi authorities (**clause 10**):
 - (g) the Minister considers and decides on the new or amended area plan (**clause 11**).
- (3) **Clause 12** sets out the short process for amending area plans.
- (4) **Clause 13** sets out the process for making minor or technical amendments to area plans.
- (5) This clause is intended as a guide only.

Direction to prepare draft

2 Direction to prepare draft

- (1) The Minister may direct the Director-General to prepare—
 - (a) a new area plan; or
 - (b) amendments to an existing area plan.
- (2) If the Minister directs the Director-General to prepare a new area plan, the standard process (**clauses 4 to 11**) applies.
- (3) If the Minister directs the Director-General to prepare amendments to an existing area plan, the Minister must direct whether the standard process (**clauses 4 to 11**) or the short process (**clause 12**) applies.

3 Direction at request of concession applicant

- (1) An applicant for a concession may request the Minister to give a direction under **clause 2** to amend an area plan if their application has been declined under **section 14Z(3)(d)**.
- (2) If the Minister chooses to make the direction, the Minister may, in accordance with section 60B, require the applicant to pay some or all of the costs incurred by the Director-General in carrying out the amendment process (regardless of the outcome of that process).

*Standard process***4 Standard process must be completed in 270 working days**

- (1) When an area plan is made or amended using the standard process, the steps set out in **clauses 5 to 11(1)** must be completed within 270 working days after the direction is given under **clause 2**.
- (2) If the Minister considers it is reasonable in the circumstances to do so, the Minister may extend the time frames specified in **subclause (1)** and **clause 7(5)**.
- (3) If the Minister extends a time frame, the Minister must—
 - (a) set a new time frame; and
 - (b) give reasons for the decision.
- (4) The Director-General must publish the new time frame and the reasons on the Department website.

5 Standard process: initial consultation

Before preparing a draft, the Director-General must carry out initial consultation with relevant conservation boards and relevant iwi authorities about their aspirations for the area plan's content.

6 Standard process: preparation of draft

After initial consultation, the Director-General must prepare a draft of the area plan.

7 Standard process: advance consultation

- (1) The Director-General must carry out advance consultation by inviting written comments on the draft from the following:
 - (a) relevant conservation boards;
 - (b) relevant iwi authorities.
- (2) If the draft contains any new or amended provisions relating to the Marine Reserves Act 1971 or the Marine Mammals Protection Act 1978, the Director-General must also invite comments from all of the following:

- (a) the chief executives of the departments responsible for administering the Fisheries Act 1996 and the Maritime Transport Act 1994;
 - (b) regional councils for the coverage area.
- (3) The invitation to provide comments must—
 - (a) include a copy of the draft; and
 - (b) specify the date by which the comments must be received by the Director-General.
- (4) The Director-General—
 - (a) must consider any comments received; and
 - (b) may revise the draft in response.
- (5) The Director-General must complete the steps set out in **clauses 5 and 6 and subclauses (1) to (4)** of this clause within 80 working days after receiving the direction from the Minister under **clause 2**.
- (6) *See also clause 4(1)*, which sets out the total time frame for the standard process.

8 Standard process: general consultation

- (1) After advance consultation and any revision, the Director-General must carry out general consultation by—
 - (a) publicly notifying the draft; and
 - (b) inviting written comments on it from—
 - (i) any person or organisation the Director-General considers appropriate; and
 - (ii) the following:
 - (A) the public;
 - (B) relevant conservation boards;
 - (C) relevant iwi authorities.
- (2) If the draft contains any new or amended provisions relating to the Marine Reserves Act 1971 or the Marine Mammals Protection Act 1978, the Director-General must also invite comments from the following:
 - (a) the chief executives of the departments responsible for administering the Fisheries Act 1996 and the Maritime Transport Act 1994;
 - (b) regional councils for the coverage area.
- (3) The invitation to provide comments must—
 - (a) include a copy of the draft; and
 - (b) specify the date by which those comments must be received by the Director-General, being a date no earlier than 40 working days after the date on which the invitation is given.

9 Standard process: revision, summary of comments, and impact analysis report

- (1) After general consultation, the Director-General—
 - (a) may revise the draft in response; and
 - (b) must prepare—
 - (i) a summary of comments from general consultation; and
 - (ii) an impact analysis report.
- (2) The impact analysis report must include an assessment of the potential impact of the new area plan or the amendments on the rights and interests of Māori.

10 Standard process: final consultation

- (1) After preparing the summary of comments, impact analysis, and any revision of the draft, the Director-General must carry out final consultation by inviting written comments from the persons specified in **clause 7(1)**, the New Zealand Conservation Authority, and, if applicable, **clause 7(2)**.
- (2) The invitation to provide comments must—
 - (a) include the following:
 - (i) a copy of the draft;
 - (ii) the summary of comments from general consultation;
 - (iii) the impact analysis; and
 - (b) specify the date by which those comments must be received by the Director-General, being a date no earlier than 40 working days after the date on which the invitation is given.
- (3) After final consultation, the Director-General may revise the draft in response.

11 Standard process: decision

- (1) After final consultation and any revision, the Director-General must provide the following to the Minister:
 - (a) the draft;
 - (b) the summary of comments from general consultation;
 - (c) the impact analysis report;
 - (d) the written comments (if any) given in final consultation.
- (2) The Minister must decide to—
 - (a) make the new or amended area plan as shown in the draft; or
 - (b) refuse to make the new or amended area plan; or
 - (c) refer the draft back to the Director-General for further revision, after which it may be resubmitted to the Minister under this clause.
- (3) In making a decision, the Minister must consider—

- (a) the summary of comments from general consultation:
- (b) the impact analysis report:
- (c) the written comments (if any) given in final consultation:
- (d) any current concessions that may be affected:
- (e) any leases or licences granted in accordance with section 50 of the National Parks Act 1980 that may be affected:
- (f) other area plans:
- (g) any freshwater fisheries management plans, sports fish and game management plans, and reserve management plans that may be affected.

Short process

12 Short process for area plans

- (1) When area plans are amended using the short process, the steps set out in **clauses 5 to 11(1)**, as modified by **subclauses (2) and (3)**, must be completed within 160 working days after the direction is given under **clause 2**.
- (2) Under the short process, the following time frames apply:
 - (a) no more than 40 working days for initial consultation, preparation of the draft, completion of advance consultation, and any revision of the draft following advance consultation (**clause 7(5)**):
 - (b) no less than 20 working days for comments to be provided in general consultation (**clause 8(3)(b)**):
 - (c) no less than 20 working days for comments to be provided in final consultation (**clause 10(2)(b)**).
- (3) If the Minister considers it is reasonable in the circumstances to do so, the Minister may extend the time frames specified in **subclauses (1) and (2)(a)**.
- (4) If the Minister extends a time frame, the Minister must—
 - (a) set a new time frame; and
 - (b) give reasons for the decision.
- (5) The Director-General must publish the new time frame and the reasons on the Department website.

Minor and technical amendments

13 Minor and technical amendments to area plans

- (1) This clause, instead of **clauses 2 to 12**, applies if—
 - (a) the Director-General considers a minor or technical amendment to an area plan is necessary; or
 - (b) the Minister directs the Director-General to prepare a minor or technical amendment to an area plan.

- (2) The Director-General must prepare a draft of the amendment and provide it to the Minister.
- (3) The Minister must decide to—
 - (a) make the amendment; or
 - (b) refuse to make the amendment; or
 - (c) refer the draft back to the Director-General for further revision, after which it may be resubmitted to the Minister under this clause.

Hearings

14 Hearings

- (1) A submitter on a publicly notified draft area plan or amendment has no right to be heard on their submission.
- (2) However, the Minister may give such a submitter the opportunity to be heard.

Schedule 3**New Schedule 5 inserted into Conservation Act 1987****s 47****Schedule 5****Land ineligible for exchange or disposal****ss 15A(2)(a), 15K(2)(a)***Conservation areas*

1 Any conservation area declared under section 18AA or 18(1) to be—

- (a) a wilderness area; or
- (b) an ecological area; or
- (c) a sanctuary area.

National parks

2 Any national park (within the meaning of section 2 of the National Parks Act 1980);

Reserves

3 Any reserve declared a national reserve under section 13 of the Reserves Act 1977.

4 Any reserve classified as a nature reserve under section 20 of the Reserves Act 1977.

5 Any reserve classified as a scientific reserve under section 21 of the Reserves Act 1977.

6 Any part of a reserve set apart as a wilderness area under section 47(1) of the Reserves Act 1977.

7 Any area declared a marine reserve under section 4(1) of the Marine Reserves Act 1971.

8 The following scenic reserves:

- (a) Kaikoura Island Scenic Reserve in Auckland City (*Gazette* 2004, p 3688);
- (b) Rakitu Island Scenic Reserve (*Gazette* 1995, p 4265).

Other land

9 Any area declared a wildlife sanctuary under section 9(1) of the Wildlife Act 1953.

10 Any land within a wetland and notified to the Ramsar Secretariat by the Minister for the time being responsible for the Ramsar Administrative Authority.

11 The area described in the Otahu Dedicated Area Notice 1976 (*Gazette* 1976, p 654).

- ~~12 The area described in the Parakawai Geological Area Notice 1980 (*Gazette* 1980, p 2408).~~
- ~~13 All land—~~
- ~~(a) held, managed, or administered under this Act, or under any enactment set out in Schedule 1 of this Act, as at 1 October 1991; and~~
 - ~~(b) situated on any island in the area bounded by latitude 35°50'S and latitude 37°10'S, and longitude 177°E and longitude 174°35'E, other than the following islands in the Mereury Islands group:~~
 - ~~(i) Red Mercury Island (Whakau);~~
 - ~~(ii) Ātiu or Middle Island;~~
 - ~~(iii) Green Island;~~
 - ~~(iv) Korapuki Island.~~

Schedule 4

New Schedule 1AA inserted into National Parks Act 1980

s 71

Schedule 1AA

Transitional, savings, and related provisions

s 3A

Part 1

Provisions relating to Conservation Amendment Act 2026

1 Interpretation

In this Part,—

amendment Act means the Conservation Amendment Act **2026**

commencement date means the date on which the amendment Act comes into force.

2 Statement of general policy ceases to have effect when replaced by NCPS

- (1) The General Policy for National Parks (published April 2005, amendment to Chapter 2 June 2007, technical amendment July 2019) ceases to have effect on the date that the first NCPS comes into force.
- (2) In **subclause (1)**, **NCPS** means the National Conservation Policy Statement made under **section 13D** of the Conservation Act 1987.

3 Determinations

- (1) This clause applies to determinations made by the Authority in accordance with section 4(2)(b) and in effect immediately before the commencement date.
- (2) The Department must ensure that the determinations are published on the Department website within 4 weeks of the commencement date.
- (3) The determinations continue to have effect in accordance with their terms.

4 Land set apart as amenities area

- (1) This clause applies to land set apart as an amenities area under section 15 before the commencement date.
- (2) On and from the commencement date, the land is deemed to be a visitor amenities area set apart under ~~section 16~~ section 15ZC of the Conservation Act 1987.

5 Existing national park management plans continue in effect until replaced by area plans

- (1) This clause applies if—

- (a) a management plan covering a park was in force immediately before the commencement date (an **existing plan**); and
 - (b) an area plan covering that park has not come into effect.
- (2) The existing plan remains in effect for that park until replaced by an area plan, except that, on and from the date on which the first NCPS comes into force, it ceases to have effect for that park to the extent of any inconsistency with the NCPS.
- (3) While an existing plan (or any part of it) is in effect,—
 - (a) any references to an area plan in this Act must be read as references to the existing plan, with any necessary modifications; and
 - (b) any obligation imposed on a person by or under this Act to do something in accordance with an area plan must be treated as an obligation to do the thing in accordance with the existing plan.

Schedule 5**New Schedule 1AA inserted into Reserves Act 1977****s 400****Schedule 1AA****Transitional, savings, and related provisions****s 2A****Part 1****Provisions relating to Conservation Amendment Act 2026****1 Interpretation**

In this Part,—

amendment Act means the Conservation Amendment Act **2026**

commencement date means the date on which the amendment Act comes into force.

2 Exchanges of land

- (1) **Subclause (2)** applies to a land exchange proposal under section 15 or a disposal of land proposal under section 25 in relation to which, immediately before the commencement date, any or all of the following apply:
- (a) there has been consultation with Māori groups with relevant interests in relation to the proposal;
 - (b) the proposal has been publicly notified;
 - (c) an agreement in writing in relation to the proposal has been entered into by the relevant parties.
- (2) The proposal must be completed in accordance with the requirements of this Act as it read immediately before the amendment Act commenced.

Schedule 6

Consequential and minor amendments

ss 48, 599

Part 1

Consequential and minor amendments to Conservation Act 1987

Section 2

In section 2(1), definition of **conservation**, after “natural”, insert “resources”.

In section 2(1), definition of **freshwater fisheries management plan**, replace “section 17K” with “**section 13K**”.

In section 2(1), definition of **sports fish and game management plan**, replace “section 17M” with “**section 13M**”.

Section 6

In section 6(a), (b), and (c)(i) and (ii), after “natural”, insert “resources” in each place.

In section 6(e),—

- (a) replace “natural or historic resource” with “natural resource or historic resource”; and
- (b) replace “natural and historic resources” with “natural resources and historic resources”.

Section 6D

Repeal section 6D(2)(d).

Section 6P

Repeal section 6P(4)(d).

Section 18AA

In section 18AA(3), delete “, with the necessary modifications,”.

In section 18AA(6), delete “with the necessary modifications”.

Section 19

In section 19(1)(a), after “natural”, insert “resources”.

Section 20

In section 20(2)(a), replace “conservation management strategy or conservation management plan” with “area plan”.

Section 23

In section 23(6), delete “after giving public notice of intention to do so,”.

Section 23—*continued*

After section 23(6), insert:

- (7) The Minister must give public notice of the intention to make a declaration under subsection (6), and section 49 applies.

Section 24BA

In section 24BA(3), delete “and section 49(1) shall apply accordingly”.

Section 24H

In section 24H(7), replace “section 13” with “**section 9**”.

Section 25

In section 25, after “natural”, insert “resources”.

~~**Section 26**~~~~**Repeal section 26.**~~**Section 26C**

In section 26C(1)(a), replace “relevant general policies established under the Wildlife Act 1953 and this Act” with “relevant policies in the National Conservation Policy Statement”.

Section 26U

In section 26U(3), replace “notified in some newspaper circulating in the areas affected” with “publicly notified”.

Section 26ZG

In section 26ZG(2)(c)(iv), replace “Treaty settlement legislation” with “a Treaty settlement Act”.

Section 26ZM

In section 26ZM(4)(a), replace “advertise, on at least 2 consecutive Saturdays in at least 1 newspaper circulating in the area concerned,” with “give public notice of”.

In section 26ZM(4)(b),—

- (a) replace “every advertisement” with “every public notice”; and
- (b) replace “the advertisement” with “the notice” in each place.

Section 26ZQA

In section 26ZQA(3)(a), replace “advertise, on at least 2 consecutive Saturdays in at least 1 newspaper circulating in the area concerned,” with “give public notice of”.

In section 26ZQA(3)(b), replace “advertisement” with “public notice”.

Section 26ZU

Replace section 26ZU(e)(v) with:

- (v) by reference to any description or plan, or both, included in any area plan:

Section 26ZV

In section 26ZV(a)(ii), replace “conservation management strategy or conservation management plan” with “area plan”.

Section 26ZW

Replace section 26ZW(b) with:

- (b) the provisions of the National Conservation Policy Statement and any relevant area plan:

Section 26ZX

Replace section 26ZX(c) with:

- (c) the provisions of the National Conservation Policy Statement and any relevant area plan:

Section 26ZZ

In section 26ZZ(1), delete “in accordance with section 49(1)”.

Section 26ZZI

In section 26ZZI(2)(b)(ii), replace “conservation management strategy or conservation management plan” with “area plan”.

Section 28

In section 28(1) and (2), after “natural”, insert “resource”.

Section 29

In section 29, after “natural”, insert “resource”.

Section 30

In section 30(4), replace “conservation management strategy or conservation management plan” with “area plan”.

Section 36

In section 36(3) and (5), after “natural”, insert “resources”.

In section 36(5), replace “, once a week for 2 consecutive weeks in some newspaper circulating in the locality, a notice” with “a public notice”.

Section 39

In section 39(1)(a), replace “section 13” with “**section 9**”.

Section 39—*continued*

In section 39(1)(ba), replace “section 17O(2)” with “**section 14A**”.

In section 39(1)(bb), replace “section 17ZF” with “**section 12**”.

Section 40

In section 40(5), after “natural”, insert “resource”.

Section 46

In section 46(5)(b), after “natural”, insert “resource”.

Section 48

In section 48(1)(c), after “natural”, insert “resources”.

In section 48(1)(e), after “natural”, insert “resource”.

Section 51S

In section 51S(1)(a), replace “section 13” with “**section 9**”.

In section 51S(1)(c), replace “section 17O(2)” with “**section 14A**”.

In section 51S(1)(d), replace “section 17ZF” with “**section 12**”.

Section 53

In section 53(2)(e), after “natural”, insert “resource”.

Section 60E

In section 60E, after “section 60B”, insert “or **60BA**”.

Section 61

In section 61(2)(c), replace “section 7(1)” with “**section 7**”.

In section 61(2B), replace “section 7(1)” with “**section 7**”.

In section 61(3), replace “section 7(1)” with “**section 7**”.

In section 61(4)(c), replace “section 7(1)” with “**section 7**”.

In section 61(5), replace “section 7(1)” with “**section 7**”.

In section 61(6)(c), replace “section 7(1)” with “**section 7**”.

In section 61(6B), replace “section 7(1)” with “**section 7**”.

In section 61(7), replace “section 7(1)” with “**section 7**”.

In section 61(9)(a), replace “section 7(1)” with “**section 7**”.

Section 63

In section 63(2)(a), replace “amenity reserve” with “natural character area”.

In section 63(2), replace “an amenity area” with “a natural character area”.

Section 64

~~In section 64(4)(b) and (4A), replace “section 16” with “**subpart 2 of Part 3C**”.~~

Schedule 1

In Schedule 1, repeal the item relating to the West Coast Wind-blown Timber (Conservation Lands) Act 2014.

Schedule 4

In Schedule 4, third column, replace “Amenity Area” with “Natural Character Area” in each place.

Conservation Amendment Act 2010

Repeal the Conservation Amendment Act 2010.

Part 2**Other consequential or minor amendments to Treaty settlement Acts****Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008 (2008 No 98)**

Repeal section 125(2)(c).

~~**Ahuriri Hapū Claims Settlement Act 2021 (2021 No 54)**~~

~~In section 127(b), replace “section 16A” with “**section 15A**”.~~

Central North Island Forests Land Collective Settlement Act 2008 (2008 No 99)

Repeal section 9(2)(a).

~~**Heretaunga Tamatea Claims Settlement Act 2018 (2018 No 14)**~~

~~In section 112(b), replace “section 16A” with “**section 15A**”.~~

Hineuru Claims Settlement Act 2016 (2016 No 33)

Repeal section 72(4)(c).

Repeal section 76(6)(c).

Repeal section 77(4)(c).

Repeal section 95(2)(c).

~~In section 122(b), replace “section 16A” with “**section 15A**”.~~

Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Act 2018 (2018 No 28)

In section 68, replace “section 17ZC” with “**section 14ZV**”.

Repeal section 80(2)(c).

~~In section 112(b), replace “section 16A” with “**section 15A**”.~~

~~Maniapoto Claims Settlement Act 2022 (2022 No 50)~~

~~In section 185(b), replace “section 16A” with “**section 15A**”.~~

Maraeroa A and B Blocks Claims Settlement Act 2012 (2012 No 52)

Repeal section 66(5)(a).

In section 66(5)(b), replace “that Act” with “the Conservation Act 1987”.

Maungaharuru-Tangitū Hapū Claims Settlement Act 2014 (2014 No 12)

Repeal section 79(7)(c).

Repeal section 80(7)(c).

Repeal section 81(7)(c).

Repeal section 82(7)(c).

Repeal section 98(2)(c).

Repeal section 110(2)(c).

~~In section 136(b), replace “section 16A” with “**section 15A**”.~~

~~Moriori Claims Settlement Act 2021 (2021 No 49)~~

~~In section 106(b), replace “section 16A” with “**section 15A**”.~~

~~Ngā Hapū o Ngāti Ranginui Claims Settlement Act 2025 (2025 No 24)~~

~~In section 105(b), replace “section 16A” with “**section 15A**”.~~

~~Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 (2014 No 52)~~

~~In section 135(b), replace “section 16A” with “**section 15A**”.~~

Ngāi Tahu Claims Settlement Act 1998 (1998 No 97)

~~In section 50(g)(i), replace “section 16A” with “**section 15A**”.~~

In section 107(1), replace “section 7(2)” with “**section 7(4)**”.

In section 108(1)(b), replace “section 17O(4)” with “**section 14A(2)(f)**”.

In section 410, replace “Sections 17S to 17W, 17Y(1)(a), 17Y(2), and 17Z(3)” with “**subpart 2 of Part 3B and sections 14ZO, 14ZP(1)(a), (2), and (3), 14ZW, and 14ZY(3) and (4)**”.

~~Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (2018 No 18)~~

~~In section 125(b), replace “section 16A” with “**section 15A**”.~~

~~Ngai Tāmanuhiri Claims Settlement Act 2012 (2012 No 55)~~

~~In section 101(b), replace “section 16A” with “**section 15A**”.~~

Ngāi Takoto Claims Settlement Act 2015 (2015 No 78)

Repeal section 137(2)(c).

~~In section 168(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāruahine Claims Settlement Act 2016 (2016 No 93)~~

~~Repeal section 93(2)(c).~~

~~In section 113(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014 (2014 No 19)

Repeal section 84(4)(c).

~~In section 176(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Apa (North Island) Claims Settlement Act 2010 (2010 No 129)

In section 51(7), replace “section 17M(2)” with “**section 13M(2)**”.

Replace section 63(6) with:

- (6) An easement granted under subsection (5) is enforceable in accordance with its terms, despite **Part 3B** of the Conservation Act 1987.

Ngāti Awa Claims Settlement Act 2005 (2005 No 28)

Replace section 135(2) with:

- (6) An easement granted under subsection (1) is enforceable in accordance with its terms, despite **Part 3B** of the Conservation Act 1987.

~~Ngāti Hauā Claims Settlement Act 2014 (2014 No 75)~~

~~In section 123(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāti Hāua Claims Settlement Act 2026 (2026 No 2)~~

~~In section 257(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāti Hinerangi Claims Settlement Act 2021 (2021 No 11)~~

~~In section 127(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāti Kahungunu ki Wairarapa Tāmaki nui a Rua Claims Settlement Act 2022 (2022 No 78)~~

~~In section 124(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 (2014 No 20)

Repeal section 77(6)(c).

Repeal section 78(4)(c).

Repeal section 167(2)(c).

Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 (2014 No 20)—*continued*

~~In section 196(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāti Koroki Kahukura Claims Settlement Act 2014 (2014 No 74)~~

~~In section 120(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Kuri Claims Settlement Act 2015 (2015 No 76)

Repeal section 32(6)(c).

Repeal section 52(2)(c).

Repeal section 139(2)(c).

~~In section 167(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Mākino Claims Settlement Act 2012 (2012 No 53)

In section 61(3), after “natural”, insert “resources”.

Repeal section 67(2)(c).

Repeal section 88(2)(c).

~~In section 110(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāti Manuhiri Claims Settlement Act 2012 (2012 No 90)~~

~~In section 127(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Maru (Taranaki) Claims Settlement Act 2022 (2022 No 9)

In section 12(1), repeal the definitions of **conservation management plan**, **conservation management strategy**, and **national park management plan**.

~~In section 136(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāti Pāhauwera Treaty Claims Settlement Act 2012 (2012 No 30)~~

~~In section 110(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Porou Claims Settlement Act 2012 (2012 No 31)

Repeal section 84(2)(c).

~~In section 113(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāti Pūkenga Claims Settlement Act 2017 (2017 No 39)~~

~~In section 102(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Rangī Claims Settlement Act 2019 (2019 No 40)

Repeal section 73(2)(c).

Repeal section 133(2)(c).

~~In section 163(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāti Rangiteaorere Claims Settlement Act 2014 (2014 No 13)~~

~~In section 77(b), replace “section 16A” with “**section 15A**”.~~

~~Ngāti Rangitihi Claims Settlement Act 2022 (2022 No 7)~~

~~In section 166(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Rangiwewehi Claims Settlement Act 2014 (2014 No 14)

Repeal section 96(2)(c).

~~In section 120(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Toa Rangitira Claims Settlement Act 2014 (2014 No 17)

Repeal section 171(2)(c).

~~In section 198(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Tuwharetoa (Bay of Plenty) Claims Settlement Act 2005 (2005 No 72)

Repeal section 117(2)(a).

~~Ngāti Tūwharetoa Claims Settlement Act 2018 (2018 No 55)~~

~~In section 156(b), replace “section 16A” with “**section 15A**”.~~

Ngāti Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (2010 No 119)

In section 17(10) and (11),—

- (a) replace “section 17K” with “**section 13K**”; and
- (b) replace “section 17M” with “**section 13M**”.

Ngāti Whātua o Kaipara Claims Settlement Act 2013 (2013 No 37)

Repeal section 84(2)(c).

~~In section 112(b), replace “section 16A” with “**section 15A**”.~~

Ngatikahu ki Whangaroa Claims Settlement Act 2017 (2017 No 41)

Repeal section 83(2)(c).

~~Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009 (2009 No 26)~~

~~In section 105(c), replace “section 16A” with “**section 15A**”.~~

Pouakani Claims Settlement Act 2000 (2000 No 90)

Repeal section 25(2)(a).

Rangitāne o Manawatu Claims Settlement Act 2016 (2016 No 100)

Repeal section 70(4)(c).

Rangitāne o Manawatu Claims Settlement Act 2016 (2016 No 100)—*continued*

In section 75(3)(a), after “natural”, insert “resources”.

Repeal section 97(2)(c).

~~In section 124(b), replace “section 16A” with “**section 15A**”.~~

Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 (2017 No 38)

Repeal section 76(2)(c).

~~In section 113(b), replace “section 16A” with “**section 15A**”.~~

Raukawa Claims Settlement Act 2014 (2014 No 7)

Repeal section 89(2)(c).

~~In section 120(b), replace “section 16A” with “**section 15A**”.~~

~~**Rongowhakaata Claims Settlement Act 2012 (2012 No 54)**~~

~~In section 83(b), replace “section 16A” with “**section 15A**”.~~

Tapuika Claims Settlement Act 2014 (2014 No 15)

Repeal section 139(2)(c).

~~In section 163(b), replace “section 16A” with “**section 15A**”.~~

Taranaki Iwi Claims Settlement Act 2016 (2016 No 95)

Repeal section 112(2)(c).

~~In section 133(b), replace “section 16A” with “**section 15A**”.~~

Te Atiawa Claims Settlement Act 2016 (2016 No 94)

Repeal section 82(2)(c).

~~In section 102(b), replace “section 16A” with “**section 15A**”.~~

Te Aupouri Claims Settlement Act 2015 (2015 No 77)

Repeal section 47(2)(c).

Repeal section 143(2)(c).

~~In section 169(b), replace “section 16A” with “**section 15A**”.~~

Te Kawerau ā Maki Claims Settlement Act 2015 (2015 No 75)

Repeal section 98(2)(c).

~~In section 127(b), replace “section 16A” with “**section 15A**”.~~

~~**Te Korowai o Wainuiārua Claims Settlement Act 2025 (2025 No 5)**~~

~~In section 199(b), replace “section 16A” with “**section 15A**”.~~

Te Rarawa Claims Settlement Act 2015 (2015 No 79)

Repeal section 166(2)(c).

~~In section 197(b), replace “section 16A” with “**section 15A**”.~~

Te Roroa Claims Settlement Act 2008 (2008 No 100)

Replace section 46(2) with:

- (2) An easement granted under subsection (1) is enforceable in accordance with its terms, despite **Part 3B** of the Conservation Act 1987.

Replace section 104(2) with:

- (2) An easement granted under subsection (1) is enforceable in accordance with its terms, despite **Part 3B** of the Conservation Act 1987.

Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 (2025 No 1)

In section 9, definition of **concession revenue**,—

- (a) paragraphs (a) and (b), replace “section 17Y” with “**section 14ZP**”;
 (b) paragraph (c)(ii), replace “section 17X(e) or (j), 17ZH” with “**section 14ZM(1)(e) or (k), 14ZX**”.

In section 110(a), replace “section 17SA or 17SD(4)” with “**sections 14I and 14W**”.

In section 110(b), replace “section 17SC(1)” with “**section 14R(1) and (2)**”.

In section 110(c), replace “section 17SE(2)” with “**section 14M(2)**”.

In section 110(d),—

- (a) replace “concessionaire” with “concession holder”; and
 (b) replace “section 17ZB(1)” with “**section 14ZQ(1)**”.

In section 110(e),—

- (a) replace “section 17ZC(3)(a)” with “**section 14ZV(3)(a)**”; and
 (b) replace “section 17ZC(1)” with “**section 14ZV(1)**”.

In section 110(f), replace “section 17ZC(4)” with “**section 14ZV(5)**”.

In section 110(g), replace “section 17ZD(1)” with “**section 14ZZD(1)**”.

In section 110(h),—

- (a) replace “section 17ZD(3)” with “**section 14ZZD(3)**”; and
 (b) replace “concessionaire” with “concession holder”.

In section 110(i), replace “section 17ZE” with “**sections 14ZZB and 14ZZC**”.

In section 110(i)(ii), replace “concessionaire” with “concession holder”.

In section 110(j),—

- (a) replace “concessionaire” with “concession holder”; and

Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 (2025 No 1)—*continued*

(b) replace “section 17ZH(c)” with “**section 14ZX(4)**”.

In section 110(k),—

(a) replace “concessionaire” with “concession holder”; and

(b) replace “section 17ZH(f)” with “**section 14ZX(6)**”.

In Schedule 4, clause 1, repeal the definition of **concessionaire**.

In Schedule 4, clause 1, definition of **application**, replace paragraph (a) with:

- (a) a concession found to be complete under **section 14I** of the Conservation Act 1987 and that has not been discontinued under either of **sections 14U or 14W** of that Act:

In Schedule 4, clause 2(2), replace “section 17S” with “**section 14G**”.

In Schedule 4, clause 3(1)(b), replace “section 17ZG” with “**sections 14E, 14ZF, and 14ZN**”.

In Schedule 4, clause 5(4), replace “section 17SD(1)” with “**section 14L(1)**”.

In Schedule 4, clause 5(5), replace “section 17SB(1)” with “**section 14U**”.

In Schedule 4, clause 11(1), replace “complies with section 17T(1)(a) to (d) of the Conservation Act 1987” with “has been found to be complete under **section 14I** of that Act and that has not been discontinued under either of **sections 14U or 14W** of that Act”.

Te Uri o Hau Claims Settlement Act 2002 (2002 No 36)

Repeal section 118(2)(a).

~~**Tūhoe Claims Settlement Act 2014 (2014 No 50)**~~

~~In section 73(b), replace “section 16A” with “**section 15A**”.~~

~~**Whakatōhea Claims Settlement Act 2024 (2024 No 15)**~~

~~In section 142(b), replace “section 16A” with “**section 15A**”.~~