

New Zealand Legislation

Reserves Act 1977

If you need more information about this Act, please contact the administering agency: **Department of Conservation**

56 Leasing powers in respect of scenic reserves

- (1) With the prior consent of the Minister, the administering body, in the case of a scenic reserve that is vested in the administering body, may from time to time, in the exercise of its functions under section 40, to the extent necessary to give effect to the principles set out in section 19,—
 - (a) lease to any person, body, voluntary organisation, or society (whether incorporated or not) any area set apart under section 55(2)(d) for baths, a picnic ground, a camping ground, a parking or mooring place, or other facilities or amenities for public recreation and enjoyment. The lease shall be subject to the further provisions set out in Schedule 1 relating to leases of scenic reserves:
 - (b) grant leases or licences for the carrying on of any trade, business, or occupation on any specified site within the reserve, subject in the case of any such lease or licence to the provisions set out in Schedule 1 relating to scenic reserves:

provided that the trade, business, or occupation must be necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve:

provided also that the prior consent of the Minister shall not be required to a lease or licence under this paragraph where the trade, business, or occupation is to be carried on in the reserve only temporarily and the term of the lease or licence does not exceed 6 consecutive days.
- (2) Before granting any lease or licence under subsection (1) (other than a lease or licence to which the second proviso to paragraph (b) applies), the administering body shall give public notice in accordance with section 119 specifying the lease or licence proposed to be granted, and shall give full consideration in accordance with section 120 to all objections and submissions in relation to the proposal received pursuant to the said section 120.
- (3) Nothing in subsection (2) shall apply in any case where the proposal—
 - (a) is in conformity with and contemplated by the approved management plan for the reserve; or
 - (b) is made following the granting of any appropriate resource consent in accordance with Part 6 of the Resource Management Act 1991.

Compare: 1953 No 69 s 27(10A); 1956 No 35 s 9

Section 56(1): amended, on 1 July 1996, by section 9(1)(a) of the Reserves Amendment Act 1996 (1996 No 3).

Section 56(2): amended, on 1 July 1996, by section 9(1)(b) of the Reserves Amendment Act 1996 (1996 No 3).

Section 56(3): inserted, on 1 January 1980, by section 18(2) of the Reserves Amendment Act 1979 (1979 No 63).

Section 56(3)(a): amended, on 1 July 1996, by section 9(1)(c) of the Reserves Amendment Act 1996 (1996 No 3).

Section 56(3)(b): replaced, on 1 October 1991, by section 362 of the Resource Management Act 1991 (1991 No 69).

Section 56(3)(b): amended, on 23 December 2023, by section 6 of the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68).

