



Reconsideration Request Form

What is a reconsideration?

The Minister of Conservation has the discretion to reconsider decisions on concessions under section 17ZJ of the Conservation Act 1987 (the Act). These powers have been delegated to decision-makers within the Department of Conservation (DOC).

A reconsideration is where an applicant requests the Minister (or delegate) review a concession decision to ensure all relevant material and analysis was considered in reaching the decision. A reconsideration is not limited to the matters raised in the applicant's request. The decision maker may review any factors that informed the original decision. A reconsideration may result in an unfavourable outcome for an applicant.

Who may request a reconsideration?

Only the applicant for a concession may request to have that concession decision reconsidered.

When may you request a reconsideration?

An applicant may seek a reconsideration of their decision where:

- It was declined - on the basis that they think it should have been approved.
- It was granted, but they dispute some aspect of the decision, for example the conditions or the term, and the concession is yet to be executed (signed by the applicant) or cancelled under section 17ZD.

A reconsideration **cannot** be carried out where:

- a concession has been executed (i.e. signed by the applicant),
- the concession has been cancelled under section 17ZD of the Conservation Act, or
- the request relates to a variation of an existing concession.

The Department of Conservation (DOC) is not required to undertake a reconsideration in every case. DOC will make a preliminary decision as to whether to accept the request for a reconsideration, and will notify the applicant of that decision before work begins on any substantive reconsideration.

Who is responsible for the cost?

The applicant submitting the reconsideration request is liable for all costs associated with the request, regardless of whether DOC accepts the request and undertakes a substantive reconsideration or not.

When to use this form?

Use this form when requesting a reconsideration of a concession decision made under Part 3B of the Conservation Act 1987. This also includes applications made under legislation that applies Part 3B of the Conservation Act, e.g., the National Parks Act 1980 and the Reserves Act 1977.

DOC cannot accept requests to reconsider decisions that are not made under the Part 3B of the Conservation Act. For example, a decision made for an application under the Wildlife Act 1953 or the Marine Mammals Protection Act 1978.

How will DOC decide whether to reconsider a decision?

Reconsideration requests should:

- be submitted using this form.
- identify where you consider the decision maker made an error in applying Part 3B of the Act.
- be made based on evidence, with any additional information addressing the reason the application was declined, or the specific aspect of the decision being contested.

DOC (as the Minister's delegate) is unlikely to perform a substantive reconsideration where:

- a reconsideration has already been carried out.
- the request is not submitted within 20 working days of being notified of the concession decision.
- the original application was declined on the basis that the effects are uncertain or unknown, and the reconsideration request does not address that information gap.
- the request for reconsideration relates to a [standard activity fee](#), or relates to a standard condition included in a [standard concession document](#) as listed on the DOC website.
- any new information provided amends the scope of the application in a material way (e.g., changes the location or type of activity originally applied for).

Pre-application checklist

Before you fill in the request form, please complete the pre-application checklist.

| | |
|--|---|
| Has your concession been signed? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Have you been informed that your concession has been cancelled? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Does your request relate to a variation of an existing concession? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Does your request relate to a permit authorised under the Wildlife Act or the Marine Mammals Protection Act? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

If you answer 'yes' to any of the questions in this checklist, DOC is unable to carry out a reconsideration.

If you answered 'no' to each of the questions, please fill in the request form below.

Please fill in all fields

1. Applicant information

| | |
|--|---|
| Applicant Name: | |
| Concession number: | |
| Date you were notified of concession decision: | |
| Have more than 20 working days passed since DOC notified you | <input type="checkbox"/> Yes (if yes, provide extenuating circumstances below) <input type="checkbox"/> No |

| | |
|--|---|
| of the concession decision? | |
| Are there any extenuating circumstances relating to your case? | |
| Has your application previously been reconsidered? <i>(If yes, your request is likely to be declined)</i> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

2. Reason for Reconsideration

This is the opportunity to provide information to support why you believe a decision or aspect of the decision should be changed. Please provide the rationale for your reconsideration request and any supporting attachments below. Please also note that:

- if you are seeking reconsideration on the value of [standard activity fees](#), or conditions included in [standard concession documents](#), your request for a reconsideration will likely be declined.
- if DOC accepts your request and goes on to undertake a fee reassessment as part of the reconsideration, the value of that fee reassessment will be final, and not subject to negotiation.

Please re-read [How will DOC decide whether to reconsider a decision?](#) to help you with your request.

| | |
|---|--|
| What decision was made on your application? | <input type="checkbox"/> Approved <input type="checkbox"/> Declined |
|---|--|

Please describe why you believe the original decision was wrong. Please be as specific as possible, and identify what parts of the decision letter, decision support document, or decision report that you are challenging.

For example, you believe you should have been granted a longer term, that your activity fee is incorrect, or a condition included in a concession document is unnecessary.

You may provide additional information to support your request, provided it does not materially change the scope of your original application.

3. Attachments

Please attach all supporting information. Additional information is limited in scope. Additional information must relate to the reason your application was declined, or the term or condition that is being disputed. If, in DOC's opinion, any new information provided amends the scope of the application in a material way (e.g., changes the location or type of activity originally applied for), you will be advised to lodge a new application.

Please label your attachments as indicated below. Add more rows as necessary.

| Attachment Number | Name of Attachment |
|-------------------|--------------------|
| Attachment 1 | |
| Attachment 2 | |

4. Reconsideration Application Checklist

Please complete the below checklist prior to submitting your application for reconsideration.

| | |
|--|--------------------------|
| Have you filled out every field? | <input type="checkbox"/> |
| Have you read this form carefully and understand its contents? | <input type="checkbox"/> |
| Have you correctly named and attached the attachments? | <input type="checkbox"/> |

Once complete, please forward this form, along with any attachments, to permissions@doc.govt.nz.

| | | | |
|--|--|-------------|--|
| Applicant Name/s (of authorised person/s) | | Date | |
|--|--|-------------|--|