

Marine Reserve (Whangarei Harbour) Order 2006

Anand Satyanand, Governor-General

Order in Council

At Wellington this 11th day of September 2006

Present:

His Excellency the Governor-General in Council

Pursuant to section 4(1) of the Marine Reserves Act 1971, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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Schedule

Whangarei Harbour Marine Reserve

Order

1 Title

This order is the Marine Reserve (Whangarei Harbour) Order 2006.

2 Commencement

This order comes into force on 18 October 2006.

3 Whangarei Harbour Marine Reserve created

The area described in the Schedule is declared to be a marine reserve to be known as the Whangarei Harbour Marine Reserve.

4 Condition relating to existing discharge

(1) Clause 3 is subject to the condition that where, at the commencement of this order, a contaminant is being discharged within or into the marine reserve, the discharge of that contaminant may continue subject to---

(a) the provisions of the Resource Management Act 1991; and

(b) compliance with all other legal requirements relating to the discharge of that contaminant.

(2) In this clause, the terms contaminant and discharge have the meanings

given to them by section 2(1) of the Resource Management Act 1991.

5 Condition relating to existing structure

Clause 3 is subject to the condition that where, at the commencement of this order, a structure (or part of a structure) exists in the marine reserve, the structure may remain and be maintained subject to---

- (a) the provisions of the Resource Management Act 1991; and
- (b) compliance with all other legal requirements relating to the structure.

Schedule cl 3 Whangarei Harbour Marine Reserve

That area (within the meaning of the Marine Reserves Act 1971) comprising 26.01 hectares shown marked "Sec 1" on SO Plan 364418 and 210.50 hectares shown marked "Sec 1" on SO Plan 364421.

Diane Morcom,
Clerk of the Executive Council.

Explanatory Note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into effect on 18 October 2006, constitutes the Whangarei Harbour Marine Reserve.

Clauses 4 and 5 contain conditions relating to existing discharges and structures in the marine reserve. A copy of the description and maps showing the location of these discharges and structures is available from the Head Office of the Department of Conservation in Wellington.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in Gazette: 14 September 2006.
This order is administered by the Department of Conservation.