

Reprint 3 September 2007

National Water Conservation (Lake Wairarapa) Order 1989
(SR 1989/51)

Note

This order is administered in the Ministry for the Environment.

PURSUANT to section 20D of the Water and Soil Conservation Act 1967, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

Contents

- 1 Title and commencement
- 2 Interpretation
- 3 Outstanding features
- 4 Prohibition on water rights
- 5 Water rights and general authorisations

1 Title and commencement

- (1) This order may be cited as the National Water Conservation (Lake Wairarapa) Order 1989.
- (2) This order shall come into force on the 28th day after the date of its notification in the Gazette.

2 Interpretation

- In this order, unless the context otherwise requires,—
Act means the Water and Soil Conservation Act 1967
Lake Wairarapa means the more or less continuous area of water commonly known as Lake Wairarapa, including the Ruamahanga Cut-off, in Featherston County, the shoreline of which is the outer edge of the area within which the vegetation changes from predominantly aquatic to predominantly terrestrial, except at the outlet of the lake, where the shoreline is the lakeward foot of the barrage gates. For the avoidance of doubt it is declared that the shoreline adjacent to the land known as Lots 1 and 2 on Deposited Plan 4547 (Wellington Land District) is the lakeward foot of the stopbank on that land.

3 Outstanding features

- It is hereby declared that the wildlife habitat created in part as a consequence of the natural fluctuations of water levels, particularly over the eastern shoreline, is an outstanding feature of Lake Wairarapa.

4 Prohibition on water rights

- (1) No right to divert any water within Lake Wairarapa shall be granted under section 21 of the Act.

(2) No general authorisation to divert any water within Lake Wairarapa shall be made under section 22 of the Act.

5 Water rights and general authorisations

- (1) No water rights shall be granted, and no general authorisation shall be made, in respect of any part of Lake Wairarapa if the effect would be to diminish significantly the outstanding wildlife habitat features of any part of the lake.
- (2) Nothing in this order shall be construed as limiting the effect of the second proviso to section 21(1) of the Act relating to the use of water for domestic needs, for the needs of animals, and for or in connection with fire-fighting purposes.
- (3) Nothing in this order shall prevent the renewal of any water right or general authorisation which is current on the commencement of this order.
- (4) Subject to subclause (1) of this clause, nothing in this order shall prevent the issue from time to time of water rights in connection with the barrage gates at the outlet of Lake Wairarapa.

MARIE SHROFF,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act 1936.
Date of notification in Gazette: 9 March 1989.