

**Reprint
as at 26 July 1991**



**National Water Conservation
(Grey River) Order 1991**

(SR 1991/133)

Catherine A Tizard, Governor-General

Order in Council

At Wellington this 22nd day of July 1991

Present:

Her Excellency the Governor-General in Council

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

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This order is administered by the Ministry for the Environment.

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Order

1 Title and commencement

- (1) This order may be cited as the National Water Conservation (Grey River) Order 1991.
- (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, **Act** means the Water and Soil Conservation Act 1967.

3 Outstanding characteristic and features

It is hereby declared that the Ahaura River from Hamers Flat (NZMS 260 K31/064616 to NZMS 260 K31/973681) includes and provides—

- (a) an outstanding natural characteristic in the form of an incised river gorge with a meandering pattern; and
- (b) outstanding scenic features.

4 Retention of natural waters in natural state

The waters of the Blue Grey River (from NZMS 260 L31/382656 upstream), its tributaries, and Lake Cristabel shall be preserved as far as possible in their natural state.

5 Partial retention of natural waters

Because of the outstanding characteristic and features specified in clause 3—

- (a) no water right under section 21 of the Act shall be granted in respect of the Ahaura River upstream from Hamers Flat for the purposes of hydro-electric power generation or other works if the effect of granting the right would detract from the outstanding characteristic and features specified in clause 3:
- (b) no right to dam the waters of the Ahaura Gorge shall be granted under section 21 of the Act:
- (c) no right under section 21 of the Act shall be granted for the purposes of damming the rivers downstream of the Ahaura Gorge if the effect of granting the right would be to change the rate of flow or water levels in that gorge:
- (d) any water right may be granted under section 21 of the Act and any general authorisation may be given under section 22 of the Act, for mining and other water uses in the Ahaura Gorge, unless the effect of granting the right or authorisation would detract from the outstanding characteristic and features specified in clause 3:
- (e) any water right may be granted under section 21 of the Act and any general authorisation may be given under section 22 of the Act, in respect of the waters specified in clause 3, for the purposes of—
 - (i) the construction, maintenance, or protection of roads, bridges, pylons, or other necessary public utilities:
 - (ii) soil conservation, river protection, or other activities undertaken pursuant to the Soil Conservation and Rivers Control Act 1941.

6 Scope

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.

Marie Shroff,
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 force 28 days after its notification in the *Gazette*, declares the waters of the Ahaura Gorge downstream of Hamers Flat—

- (a) to be an outstanding natural characteristic in the form of an incised river gorge with a meandering pattern; and
- (b) to have outstanding scenic features.

The order also includes various provisions to preserve and protect the waters of the Grey River.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 25 July 1991.

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Notes

1 *General*

This is a reprint of the National Water Conservation (Grey River) Order 1991. The reprint incorporates all the amendments to the order as at 26 July 1991, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
