

**Reprint
as at 10 February 1984**



**National Water Conservation
(Motu River) Order 1984**
(SR 1984/20)

David Beattie, Governor-General

Order in Council

At the Government Buildings at Wellington this 7th day of February
1984

Present:
The Right Hon D MacIntyre presiding in Council

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

		Page
1	Title and commencement	2
2	Interpretation	2

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.

3	River to be preserved	2
4	Right to dam not to be granted	2
5	Water rights	2
6	Saving	3
	Schedule	3

Order

1 Title and commencement

- (1) This order may be cited as the National Water Conservation (Motu River) Order 1984.
- (2) This order shall come into force on the 14th 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

river means those parts of the Motu River and its tributaries described in the Schedule.

3 River to be preserved

It is hereby declared that the river shall be preserved as far as possible in its natural state.

4 Right to dam not to be granted

- (1) A right to dam the river shall not be granted under section 21 or section 23 of the Act.
- (2) Any right granted under section 21 or section 23 of the Act to dam any part of the Motu River not described in the Schedule shall be granted in such a way or subject to such conditions as will result in the dam not affecting the river.

5 Water rights

- (1) Except as provided in subclause (2), a water right shall not be granted under section 21 or section 23 or section 24 of the Act, and a general authorisation shall not be given under section 22 of the Act, in respect of the river or any part of it.

- (2) Notwithstanding the provisions of subclause (1), a water right may be granted under section 21 or section 23 or section 24 of the Act, and a general authorisation may be given under section 22 of the Act, in respect of the river or any part of it, for or in connection with—
- (a) the maintenance of State Highway 35, including any bridge over the Motu River forming part of that highway:
 - (b) soil conservation and related matters undertaken pursuant to the Soil Conservation and Rivers Control Act 1941.

6 Saving

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.

Schedule

The Motu River from and including the Motu Falls (at or about map reference NZMS 1 N88:007886) to the State Highway 35 bridge (at or about map reference NZMS 1 N70:052354), together with—

- (a) the following tributaries of the Motu River:
 - (i) the Waitangirua Stream;
 - (ii) the Mangaotane Stream;
 - (iii) the Te Kahika Stream; and
 - (iv) the Mangatutara Stream:
- (b) that part of the Takaputahi River below its confluence with the Whitikau Stream (at or about map reference NZMS 1 N79:004116).

P G Millen,
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 provides for the preservation as far as possible in its natural state of the Motu River from the Motu Falls to the State Highway 35 bridge.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 9 February 1984.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes

1 *General*

This is a reprint of the National Water Conservation (Motu River) Order 1984. The reprint incorporates all the amendments to the order as at 10 February 1984, 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)*
