

**Reprint  
as at 10 March 1989**



**National Water Conservation  
(Lake Wairarapa) Order 1989**

(SR 1989/51)

Paul Reeves, Governor-General

**Order in Council**

At Wellington this 6th day of March 1989

Present:

His Excellency the Governor-General 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.

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**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 (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), 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.

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**Explanatory note**

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

This order declares 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.

The order also includes various provisions to preserve and protect the wildlife habitat.

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**National Water Conservation (Lake  
Wairarapa) Order 1989**

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Reprinted as at  
10 March 1989

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

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## **Notes**

### **1 *General***

This is a reprint of the National Water Conservation (Lake Wairarapa) Order 1989. The reprint incorporates all the amendments to the order as at 10 March 1989, 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)*

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