

Version
as at 23 December 2023



Marine Reserve (Whangarei Harbour) Order 2006 (SR 2006/283)

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.

Contents

	Page
1 Title	2
2 Commencement	2
3 Whangarei Harbour Marine Reserve created	2
4 Condition relating to existing discharge	2
5 Condition relating to existing structure	2

Schedule

3

Whangarei Harbour Marine Reserve

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This order is administered by the Department of Conservation.

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.

Clause 4(1)(a): amended, on 23 December 2023, by section 6 of the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68).

Clause 4(2): amended, on 23 December 2023, by section 6 of the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68).

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.

Clause 5(a): amended, on 23 December 2023, by section 6 of the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68).

Schedule
Whangarei Harbour Marine Reserve

cl 3

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.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 14 September 2006.

Notes

1 *General*

This is a consolidation of the Marine Reserve (Whangarei Harbour) Order 2006 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68): section 6