

Version
as at 24 August 2023



**Marine Reserve (Motu Manawa-Pollen Island)
Order 1995**
(SR 1995/216)

Catherine A Tizard, Governor-General

Order in Council

At Wellington this 9th day of October 1995

Present:

Her Excellency the Governor-General in Council

Pursuant to section 4(1) of the Marine Reserves Act 1971, Her Excellency the Governor-General, acting on the recommendation of the Minister of Conservation made under section 5(9) of that Act (a recommendation with which the Minister of Transport and the Minister of Fisheries concur) and by and with the advice and consent of the Executive Council, hereby makes the following order.

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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.

Schedule 3
Motu Manawa-Pollen Island Marine Reserve

Order

1 Title and commencement

- (1) This order may be cited as the Marine Reserve (Motu Manawa-Pollen Island) Order 1995.
- (2) This order shall come into force on the 28th day after the date of its notification in the *Gazette*.

2 Motu Manawa-Pollen Island Marine Reserve constituted

The area described in the Schedule is hereby declared to be a marine reserve to be known as the Motu Manawa-Pollen Island Marine Reserve.

3 Condition of declaration

- (1) The declaration contained in clause 2 is subject to the condition that where, at the commencement of this order,—
 - (a) a contaminant is being discharged within the marine reserve or into the marine reserve; and
 - (b) all legal requirements in relation to the discharge within the marine reserve or into the marine reserve of the contaminant referred to in paragraph (a) are being complied with,—

the discharge of that contaminant may, subject to the provisions of the Natural and Built Environment Act 2023 and subject to continued compliance with all other legal requirements relating to the discharge of that contaminant, continue.

- (2) In this clause the terms **discharge** and **contaminant** have the meanings given to them by section 11(1) of the Natural and Built Environment Act 2023.

Clause 3(1): amended, on 24 August 2023, by section 805(5) of the Natural and Built Environment Act 2023 (2023 No 46).

Clause 3(2): amended, on 24 August 2023, by section 805(5) of the Natural and Built Environment Act 2023 (2023 No 46).

Schedule

Motu Manawa-Pollen Island Marine Reserve

All that area comprising 500 hectares, more or less, being Part Bed of the Waitemata Harbour, situated in Block XV, Waitemata Survey District, and Block III, Titirangi Survey District, as shown marked A and B on SO Plan 68062, lodged in the office of the Chief Surveyor for the North Auckland Land District.

Marie Shroff,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 12 October 1995.

Notes

1 *General*

This is a consolidation of the Marine Reserve (Motu Manawa-Pollen Island) Order 1995 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*

Natural and Built Environment Act 2023 (2023 No 46): section 805(5)