



Water and Soil Conservation Act 1967

1967

- Citation:** No 135
Date of Assent: 24 November, 1967
Commencement: Date of Assent
- Repeal:** Repealed 1991, No 69
- Amendments:** **1969, No 114:** s2 amends s21 regarding rights in respect of natural water.
1971, No 24: Mainly involves mining privileges in respect of water. See s27. Where any mining privilege affects Maori land the Board shall forward a description of the land to the registrar of the MLCt.
1971, No 154: See s12 – rights in respect of natural water.
1973, No 24: See ss2 - 15 dealing with underground water.
1974, No 137: Includes the seabed within water regions.
1976, No 164: See s2 amendment to s21 rights in respect of natural water.
1977, No 63.
1981, No 123: see s9 – applications by Crown in respect of natural water.
1983, No 151: See ss11 and 12 – rights in respect of and general authority for use of natural water.
1988, No 47: See ss19 - 21 – rights in respect of Natural water.
- Type of Legislation:** Public
Subject: Lakes, Rivers, Beds, Foreshores etc.
- Relevant Sections:** s21: The sole right to dam any river or stream, to divert any natural water, to discharge any waste into any natural water or to use natural water is hereby vested in the Crown subject to the provisions of this Act.
- Commentary:** This Act became the object of Maori protest during the 1970s and 1980s as its application over the years failed to take into account Maori interests and had led to pollution of waterways with detriment to Maori fisheries and well being. The *Report of the Waitangi Tribunal on the Manukau Claim* called it “monocultural legislation” as it did not provide for the recognition of Maori cultural and spiritual values relating to fisheries and waterways. See, however, the High Court decision (Chilwell J.) in *Huakina Development Trust v Waikato Valley Authority* [1987] NZLR 188.

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- Cross Reference:** Waitangi Tribunal *Report of the Waitangi Tribunal on the Manukau Claim* Wai 8
(Government Printer, Wellington, 1985) 86
- Waitangi Tribunal *The Mohaka River Report* Wai 119
(Brooker & Friend, Wellington, 1992) 66
- Waitangi Tribunal *Report of the Waitangi Tribunal on the Kaituna River Claim* Wai 4 (1984)
(Waitangi Tribunal, Wellington, 1989) 32 - 33
- Huakina Development Trust v Waikato Valley Authority* [1987] NZLR 188.