



**THE MARINE RESERVE (MOTU MANAWA-POLLEN ISLAND)  
ORDER 1995**

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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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**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 to this Order 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 of this order 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) of this subclause are being complied with,—

the discharge of that contaminant may, subject to the provisions of the Resource Management Act 1991 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 2 (1) of the Resource Management Act 1991.

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#### 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 S.O. Plan 68062, lodged in the office of the Chief Surveyor for the North Auckland Land District.

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, which comes into force on the 28th day after the date of its notification in the *Gazette*, constitutes the Motu Manawa-Pollen Island Marine Reserve.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 12 October 1995.

This order is administered in the Department of Conservation.