

1979/40



THE SUBMARINE CABLES AND PIPELINES PROTECTION
ORDER 1979

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KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 12th day of March 1979

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to the Submarine Cables and Pipelines Protection Act 1966, 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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ORDER

1. Title and commencement—(1) This order may be cited as the Submarine Cables and Pipelines Protection Order 1979.

(2) This order shall come into force on the day after the date of its notification in the *Gazette*.

2. Protected areas—The areas within the territorial sea or internal waters of New Zealand described in the First Schedule to this order are hereby declared to be protected areas for the purposes of the Submarine Cables and Pipelines Protection Act 1966 in respect of all ships except—

- (a) Ships of the Ministry of Agriculture and Fisheries engaged in research, if such research is carried out without dropping anchor;
- (b) In the case of the area entitled “*Area 10—Cook Strait*” only, fishing boats engaged in setting or lifting nets or rock lobster pots, or in paua fishing, if those activities are carried out—
 - (i) During the hours of daylight; and
 - (ii) Without dropping an anchor; and either
 - (iii) Within 200 metres of the low-water mark of the North Island, other than the line of low-water mark between the notice board placed at a position in latitude 41° 17.85' S

longitude 174° 37.12' E and the notice board placed at a position in latitude 41° 18.32' S longitude 174° 37.78' E; or

(iv) Within 200 metres of the low-water mark of the South Island, other than the line of low-water mark between the notice board placed at a position in latitude 41° 19.6' S longitude 174° 12.9' E and the notice board placed at a position in latitude 41° 19.9' S longitude 174° 11.8' E:

(c) In the case of the area entitled "*Area 11—Oaonui*" only,—

(i) Ships engaged in the construction, repair, maintenance, or servicing of the Maui gas field off-shore platform, submarine pipelines, and associated off-shore facilities; and

(ii) Fishing boats engaged in setting or lifting nets or rock lobster pots, or in paua fishing, if those activities are carried out during the hours of daylight, without dropping an anchor, and within 2 miles of the low-water mark of the North Island.

3. Restricted area—The area within the exclusive economic zone of New Zealand described in the Second Schedule to this order is hereby declared to be a restricted area for the purposes of the Submarine Cables and Pipelines Protection Act 1966 in respect of all New Zealand ships except ships engaged in the construction, repair, maintenance, or servicing of the Maui gas field off-shore platform, submarine pipelines, and associated off-shore facilities.

4. Revocation—The Submarine Cables and Pipelines Protection Order 1977* is hereby revoked.

*S.R. 1977/104

SCHEDULES

FIRST SCHEDULE

PROTECTED AREAS

Area 1—Great Barrier Island

ALL that area bounded by a straight line drawn from the Great Barrier Island low-water mark at a position 36° 13.5' S 175° 29.22' E to a position 36° 11.1' S 175° 34.0' E, thence by a straight line to a position 36° 12.4' S 175° 33.3' E, thence by a straight line to a position 36° 13.8' S 175° 33.3' E, thence by a straight line to a position 36° 16' S 175° 35.55' E, thence by a straight line to a position 36° 16' S 175° 33' E, thence by a straight line to the Great Barrier Island low-water mark, at a position 36° 14.3' S 175° 28.8' E, thence by the line of low-water mark to the position of commencement.

Area 2—Hauraki Gulf

ALL that area bounded by straight lines commencing at position 36° 47.0' S 174° 46.6' E, thence to 36° 39.2' S 174° 48.1' E, thence to 36° 36.5' S 174° 56.7' E, thence to 36° 24.2' S 174° 56.7' E, thence to

FIRST SCHEDULE—*continued*

36° 19.9' S 174° 56.4' E, thence to 36° 06.7' S 174° 55.3' E, thence to 35° 52.5' S 174° 55.8' E, thence to 35° 42.4' S 174° 59.9' E, thence to 35° 42.0' S 175° 04.0' E, thence to 35° 53.4' S 174° 59.2' E, thence to 36° 06.7' S 174° 57.7' E, thence to 36° 20.2' S 174° 57.9' E, thence to 36° 37.1' S 174° 57.9' E, thence to 36° 39.9' S 174° 49.2' E, thence to 36° 47.0' S 174° 48.0' E, thence to the position of commencement.

Area 3—Kawau Island

ALL that area bounded by a straight line drawn from the low-water mark in Goldsworthy Bay at a position 36° 26.39' S 174° 45.81' E to a position 36° 25.40' S 174° 47.77' E, thence by a straight line to the low-water mark off Momoma Point Kawau Island at a position 36° 25.76' S 174° 48.96' E, thence by the line of the low water mark to Lady's Bay at a position 36° 26.17' S 174° 49.13' E, thence by a straight line to a position 36° 26.24' S 174° 46.71' E, thence by a straight line to the low-water mark in Scandretts Bay at a position 36° 26.51' S 174° 46.36' E, thence by the line of low-water mark to the position of commencement.

Area 4—Tiritiri Matangi Island

ALL that area bounded by a straight line drawn from the Whangaparaoa Peninsula low-water mark at a position 36° 35.85' S 174° 50.26' E to the Tiritiri Matangi Island low-water mark at a position 36° 36.03' S 174° 52.77' E, thence by the line of low-water mark to a position 36° 36.39' S 174° 53.28' E, thence by a straight line to the Whangaparaoa Peninsula low-water mark at a position 36° 36.19' S 174° 50.45' E, thence by the line of low-water mark to the position of commencement.

Area 5—Whangaparaoa Peninsula

ALL that area bounded by straight lines commencing at the low-water mark in position 36° 37.15' S 174° 50.21' E to a position 36° 37.37' S 174° 51.02' E, thence to a position 36° 37.57' S 174° 50.92' E, thence to the low-water mark in position 36° 37.35' S 174° 50.05' E, thence by the line of low-water mark to the position of commencement.

Area 6—Muriwai Beach

ALL that area bounded by straight lines commencing at the low-water mark in position 36° 50.3' S 174° 25.8' E, thence to 36° 50.8' S 174° 09.2' E, thence to 36° 43.3' S 174° 03.8' E, thence to 36° 47.1' S 174° 23.8' E, thence by the line of low-water mark to the position of commencement.

Area 7—Mount Maunganui

ALL that area bounded by a straight line commencing at a position on low-water mark bearing 205° true 91 m from North Rock light, in position 37° 37.52' S 176° 10.49' E, thence 025° 853 m, thence 115° 549 m, thence 195° 1372 m, thence by the line of low-water mark to the position of commencement.

FIRST SCHEDULE—*continued**Area 8—Taharoa*

ALL that area bounded by straight lines commencing at the low-water mark in position $38^{\circ} 10.8' S 174^{\circ} 42.4' E$, thence to $38^{\circ} 11.1' S 174^{\circ} 40.1' E$, thence to $38^{\circ} 10.3' S 174^{\circ} 39.8' E$, thence to the low-water mark at a position $38^{\circ} 10.25' S 174^{\circ} 42.15' E$, thence to the position of commencement.

Area 9—Waverley Beach

ALL that area within 463 m of a position $39^{\circ} 51.02' S 174^{\circ} 35.87' E$ and within 463 m of a submarine pipeline from this position in a $355^{\circ} 48'$ true direction to low-water mark.

Area 10—Cook Strait

ALL that area bounded by a straight line commencing at low-water mark at position $41^{\circ} 18.5' S 174^{\circ} 14.2' E$, thence to the low-water mark at position $41^{\circ} 16.5' S 174^{\circ} 36.9' E$, thence by the line of low-water mark to position $41^{\circ} 19.4' S 174^{\circ} 38.3' E$, thence by a straight line to position $41^{\circ} 21.4' S 174^{\circ} 13.0' E$, thence by a straight line to position $41^{\circ} 20.4' S 174^{\circ} 10.8' E$, thence by the line of low-water mark to the position of commencement.

Area 11—Oaonui

ALL that area bounded by straight lines commencing at low-water mark at position $39^{\circ} 22.4' S 173^{\circ} 46.5' E$, thence to $39^{\circ} 29.2' S 173^{\circ} 33.2' E$, thence to $39^{\circ} 31.7' S 173^{\circ} 35.0' E$, thence to $39^{\circ} 25.8' S 173^{\circ} 49.0' E$, thence by the line of low-water mark to the position of commencement.

SECOND SCHEDULE

RESTRICTED AREA

Area 12—Maui 'A' Pipeline

ALL that area bounded by a straight line commencing at position $39^{\circ} 29.2' S 173^{\circ} 33.2' E$, thence by a straight line to position $39^{\circ} 32.8' S 173^{\circ} 26.0' E$, thence by the arc of a circle of 1.2 nautical miles radius centred at position $39^{\circ} 33.9' S 173^{\circ} 26.6' E$ to position $39^{\circ} 34.8' S 173^{\circ} 27.6' E$, thence by a straight line to position $39^{\circ} 31.7' S 173^{\circ} 35.0' E$, thence by a straight line to the position of commencement.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

This order replaces the Submarine Cables and Pipelines Protection Order 1977.

The principal differences between this order and the 1977 order are as follows:

- (a) Following upon the extension of the territorial sea effected by the Territorial Sea and Exclusive Economic Zone Act 1977, some protected areas have been extended in this order to include former restricted areas:
- (b) Areas in the vicinity of the Mahia Peninsula are no longer protected or restricted areas:
- (c) This order creates a new restricted area in the vicinity of the Maui 'A' pipeline.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 15 March 1979.

This order is administered in the Ministry of Transport.