



**THE WILDLIFE MANAGEMENT RESERVE (WESTHAVEN
(WHANGANUI INLET)) ORDER 1994**

CATHERINE A. TIZARD, Governor-General

A PROCLAMATION

PURSUANT to section 14A of the Wildlife Act 1953, I, Dame Catherine Anne Tizard, the Governor-General of New Zealand, acting on the joint recommendation of the Minister of Conservation (being the Minister responsible for the administration of that Act) and the Minister of Lands and the Minister of Transport (being the Ministers charged with the administration of the Departments of State having control of the land and waters affected by this Proclamation), hereby proclaim as follows:

1. Title and commencement—(1) This proclamation may be cited as the Wildlife Management Reserve (Westhaven (Whanganui Inlet)) Order 1994.

(2) This Proclamation shall come into force on the 28th day after the date of its notification in the *Gazette*.

2. Interpretation—In this Proclamation, unless the context otherwise requires,—

“The Act” means the Wildlife Act 1953:

“Director-General” means the Director-General of Conservation:

“Livestock” means any cattle, sheep, horse, mule, goat, pig, or deer, except one that is living in a wild state:

“Minister” means the Minister of Conservation:

“Wildlife management reserve” or “reserve” means the area described in the Schedule to this Proclamation.

3. Wildlife management reserve—The area described in the Schedule to this Proclamation is hereby declared to be a wildlife management reserve for the purposes of the Act, subject to the provisions of clauses 4 to 11 of this Proclamation.

4. Use of vehicles prohibited in reserve—(1) Subject to subclause (2) of this clause, no person shall enter or pass through the reserve in a vehicle unless the person holds a written authority issued for the purpose by the Director-General.

(2) A written authority referred to in subclause (1) of this clause is not required by or in respect of—

- (a) A person employed in the Department of Conservation who enters or passes through the reserve in a vehicle in the course of his or her official duties; or
- (b) An occupier of any land immediately adjacent to the reserve who enters or passes through the reserve in a vehicle for the purpose of supervising the movement of livestock on any route shown as a stock movement route on S.O. Plan 15147 or launching a boat on any area shown on that plan as a boat launching area.

5. Livestock prohibited in reserve—(1) Subject to subclause (2) of this clause, no person shall take livestock into the reserve unless the person holds a written authority issued for the purpose by the Director-General.

(2) A written authority referred to in subclause (1) of this clause is not required by or in respect of—

- (a) A person employed in the Department of Conservation who takes livestock into the reserve in the course of his or her official duties; or
- (b) An occupier of any land immediately adjacent to the reserve who takes livestock into and through the reserve on any route shown as a stock movement route on S.O. Plan 15147.

6. Taking, etc. of any living creature prohibited in reserve—(1) Subject to subclause (2) of this clause and to the other provisions of this Proclamation, no person shall hunt or kill, take for any purpose, molest, capture, disturb, harry, or worry any living creature in the reserve unless the person holds a written authority issued for the purpose by the Director-General.

(2) A written authority referred to in subclause (1) of this clause is not required by or in respect of—

- (a) A person who is employed in the Department of Conservation and acting in the course of his or her official duties; or
- (b) A person who takes fish or shellfish in the reserve in accordance with the Fisheries Act 1983, the Conservation Act 1987, and the relevant regulations (if any) made under either of those Acts; or
- (c) A person who hunts or kills, pursuant to an appropriate licence issued under the Act and in accordance with all relevant conditions imposed under section 6 of the Act, any bird of any of the following species:
 - (i) Black swan (*Cygnus atratus*):
 - (ii) Canada goose (*Branta canadensis*):
 - (iii) Grey duck (*Anas superciliosa*) and any cross of that species with any other species, variety, or kind of duck:

- (iv) Mallard duck (*Anas platyrhynchos*) and any cross of that species with any other species, variety, or kind of duck;
 - (v) Paradise duck (*Tadorna variegata*);
 - (vi) Spoonbill duck (New Zealand shoveler) (*Anas rhynchos*);
 - (vii) Pukeko (*Porphyrio melanotus*); or
- (d) A person who is doing anything referred to in clause 5 (2) or clause 7 (2) of this Proclamation in relation to any livestock, domestic animal, or domestic bird, where the creature is under his or her control.

7. Domestic animals or birds prohibited in reserve—(1) Subject to subclause (2) of this clause, no person shall take into or keep in the reserve any domestic animal (other than any livestock) or domestic bird unless the person holds a written authority issued for the purpose by the Director-General.

(2) A written authority referred to in subclause (1) of this clause is not required by or in respect of—

- (a) A person who is employed in the Department of Conservation and takes into or keeps in the reserve any domestic animal or domestic bird, in the course of his or her official duties; or
- (b) An occupier of any land immediately adjacent to the reserve who takes into or keeps in the reserve one or more dogs for the purpose of moving livestock; or
- (c) A person who takes into the reserve one or more dogs under the person's direct control.

8. Other acts prohibited in reserve—(1) Subject to subclause (2) of this clause and to the other provisions of this Proclamation, no person shall—

- (a) Take, destroy, or disturb the eggs or spawn of any living creature in the reserve; or
- (b) Take for any purpose, or interfere with, any vegetation of any description in the reserve; or
- (c) Introduce or liberate in the reserve any living creature or the eggs or spawn of any living creature; or
- (d) Introduce or plant in the reserve any vegetation of any description or the spores or seeds of any vegetation of any description; or
- (e) Burn or clear by any means whatever any trees, shrubs, grasses, or other plant life in the reserve; or
- (f) Camp in the reserve; or
- (g) Take into or use in the reserve any jet ski or hovercraft; or
- (h) Light any fire or do anything likely to cause a fire in the reserve; or
- (i) Wilfully disturb any wildlife in the reserve, whether by flying over the reserve in an aircraft, creating any noise in the vicinity of the reserve, or otherwise; or
- (j) Take into or use in the reserve any explosives; or
- (k) Use any firearm in the reserve, except pursuant to an appropriate licence to hunt or kill game issued under the Act and in accordance with all relevant conditions imposed under section 6 of the Act—

unless the person holds a written authority issued for the purpose by the Director-General.

(2) A written authority referred to in subclause (1) of this clause is not required by or in respect of a person employed in the Department of Conservation who does anything specified in any of paragraphs (a) to (k) of that subclause in the course of his or her official duties.

9. Depositing rubbish prohibited—No person shall deposit rubbish or leave litter in the reserve.

10. Construction prohibited—No person shall—

(a) Construct or maintain any private road, track, tramway, or other means of access or communication in the reserve; or

(b) Construct or maintain on the reserve any maimai (other than a temporary maimai brought onto the reserve on any day and removed from the reserve on the same day) or other structure—unless the person holds a written authority issued for the purpose by the Director-General.

11. Pollution of waters prohibited—No person shall pollute the reserve by means of rubbish, sewage, industrial waste, mining debris, sawmill refuse, or any other means.

SCHEDULE

WESTHAVEN (WHANGANUI INLET) WILDLIFE MANAGEMENT RESERVE

Nelson Land District—Tasman District

ALL that area of land in the Nelson Land District, Tasman District, containing 2080.5000 hectares, more or less, situated in Blocks I, II, IV, V, and VI, Pakawau Survey District, and being all the land within Whanganui Inlet and Muddy Creek that is more particularly shown marked "M", "N", "O", "P", "Q", and "R" on S.O. Plan 15147.

Given under the hand of Her Excellency the Governor-General, and issued under the Seal of New Zealand, this 26th day of May 1994.

[L.S.]

DENIS MARSHALL,
Minister of Conservation.

GOD SAVE THE QUEEN!

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

Date of notification in *Gazette*: 2 June 1994.

This order is administered in the Department of Conservation.