Regulation Summary

**Notice Under the Acts and Regulations Publication Act 1989**

Pursuant to the Acts and Regulations Publication Act 1989, notice is hereby given of the making of regulations as under:

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General

**Manawatu-Wanganui Regional Council**

**Water and Soil Conservation Act 1967**

Local Water Conservation (Mangatainoka River) Notice 1991

Pursuant to section 20H (c) of the Water and Soil Conservation Act 1967, and a direction from the Planning Tribunal to make a local water conservation notice in respect of the Mangatainoka River, the council hereby makes a notice as directed by the Planning Tribunal as follows:

1. **Title and Commencement:**
   1.1 This order may be cited as the Local Water Conservation (Mangatainoka River) Notice 1991.
   1.2 This order shall come into force on the date of its notification in the Gazette.

2. **Interpretation:**
   “River” means the Mangatainoka River itself from its source (approximate map reference NZMS 260 sheet S25:217-546) to its confluence with the Tiraumea River (approximate map reference NZMS 260 sheet T24:554-871), together with all its tributaries, including the Makakahi River.
   “Water channel” means any part of the river channel that contains water that is either flowing or ponded at that time.

3. **Characteristics and Features to be Protected:**
   It is hereby declared that the Mangatainoka River includes a recreational fishery of regional significance.

4. **Right to Dam Not to be Granted:**
   A right to dam the full flow of the Mangatainoka River or its tributaries, the Makakahi River (and its Bruce Stream tributary), the Mangaroa, Mangamaire, Makotukutuku, Mangaraupiu Streams and an unnamed tributary entering the Mangatainoka River at map reference NZMS 260 sheet T25:368-654 shall not be granted under section 21 of the Act.

5. **Water Rights:**
   5.1 A water right under section 21 of the Act may not be granted by the regional council and a general authorisation under section 22 of the Act may not be made by the regional council in respect of the river if the combined effect of the grant or authorisation and of existing rights would have a significant adverse effect on the feature identified in clause 3.
   5.2 Notwithstanding anything in this notice, it shall be lawful for water rights to be granted, and general authorisations to be made, in respect of the river for the purposes of:
   a. research into, and enhancement of, fisheries habitats; or
   b. mitigation of the effects of flooding and erosion throughout the catchment under the Soil Conservation and Rivers Control Act 1941; or
   c. the maintenance of roads, bridges, and other public utilities; or
   d. the extraction of gravel, provided no such extraction takes place in the water channel of the river, and the water quality requirements of clauses 5 (4) are met.