

Manawatu-Wanganui Regional Council

Water and Soil Conservation Act 1967

Local Water Conservation (Hautapu River) Notice 1990

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 Hautapu River, the Council hereby makes a notice as directed by the Planning Tribunal as follows:

1. Title and commencement—

1.1 This notice may be cited as the Local Water Conservation (Hautapu River) Notice 1990.

1.2 This notice shall come into force on the 14th day after the date of its notification in the *Gazette*.

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

“Act” means the Water and Soil Conservation Act 1967.

3. Features and characteristics—It is hereby declared that the Hautapu River and its tributaries above its confluence with the Oraukura Stream (approximate map reference NZMS 260 T21.509671) is of regional significance as a brown trout fishery.

4. Water rights and general authorisations—

4.1 No right to dam under section 21 of the Act shall be granted by the Regional Water Board on the Hautapu River above its confluence with the Oraukura Stream or on its tributaries, the Waiouru and Iirangi Streams.

4.2 No water right under section 21 of the Act shall be granted by the Regional Water Board, and no general authorisation under section 22 of the Act shall be made by the Regional Water Board, in respect of the Hautapu River and its tributaries above the confluence with the Oraukura Stream if the effect would be to significantly diminish the fisheries habitat of any part of the waterway *provided that* water rights may be granted and general authorisations may be made in respect of any part of those waters for any of the following purposes:

- a. Research into, and the enhancement of, fisheries and wildlife habitats;
- b. The maintenance or protection of roads, bridges and other necessary public utilities;
- c. Soil conservation and river control works undertaken pursuant to the Soil Conservation and Rivers Control Act 1941.

5. Scope of this notice—

5.1 Nothing in this notice shall be construed as limiting the effect of the second proviso of section 21(1) of the Act relating to the use of water for domestic needs, for the needs of animals and for or in connection with firefighting purposes.

5.2 Nothing in this notice shall prevent the renewal of any water right or general authorisation which is current on the commencement of this notice.

5.3 The notice insofar as it affects Waiouru Army Training Group and HMNZS *Iirangi* is suspended during any national mobilisation or civil emergency affecting these two establishments.

R. A. BARRETT, General Manager.
gn6483

