

1970/221

**THE FRESHWATER FISHERIES REGULATIONS
(MARLBOROUGH AND NELSON) MODIFICATION
NOTICE 1970**

PURSUANT to the Fisheries Act 1908 and the Freshwater Fisheries Regulations 1951, and, in relation to clause 4 (e) hereof, on the written application of the Nelson Acclimatisation Society, and in relation to clause 4 (f) hereof, on the written application of the Marlborough Acclimatisation Society, the Minister of Marine hereby gives the following notice.

NOTICE

1. Title—This notice may be cited as the Freshwater Fisheries Regulations (Marlborough and Nelson) Modification Notice 1970.

2. Commencement—This notice shall come into force on the day after the date of its notification in the *Gazette*.

3. Application—This notice shall be in force only within the Marlborough and Nelson Acclimatisation Districts (including Lakes Rotoiti and Rotoroa, where it shall apply except as modified by the Fisheries Experimental Waters (Lakes Rotoiti and Rotoroa) Regulations 1970*).

4. Modification of regulations—The Freshwater Fisheries Regulations 1951† are hereby modified as follows:

Limit Bag

- (a) There shall be no limit on the number of acclimatised fish (being trout or salmon) that may be taken or killed on any one day in the Cobb Reservoir, Lake Daniells, Lake Rotoiti, or Lake Rotoroa during any open season in those waters:
- (b) Except as provided in paragraph (a) of this clause, no person shall on any one day take or kill more than 10 acclimatised fish (being trout or salmon), of which not more than 4 may be taken from 1 or more of the following waters including tributaries of these waters, namely—the Goulter Stream, the Rai River, and the Wairau River upstream from the Wash Bridge:

*S.R. 1970/217

†S.R. 1951/15 (Reprinted with Amendments Nos. 1 to 8: S.R. 1964/196)

Amendment No. 9: S.R. 1965/170

Amendment No. 10: S.R. 1966/208

Amendment No. 11: S.R. 1970/101

Size Limit

- (c) No person shall take or kill in any manner whatever or intentionally have in his possession any trout or salmon that does not exceed in length—
- (i) In the case of any trout or salmon taken from the Maitai River, 10 in.:
 - (ii) In the case of any trout or salmon taken from any water other than the Maitai River, 12 in.:

Restrictions on Lures and Methods

- (d) No person in fishing for acclimatised fish shall—
- (i) Use any lure or bait other than artificial fly in the Maitai River (except as provided in subparagraph (ii) of this paragraph), Riwaka River, Happy Valley River, Motupiko River, Kaituna River, Mangles River, the Okaramio Stream from its source to Farnell's Bridge, the Pearce River, the Timms Creek from its source to the main road bridge, the Top Valley Stream from its source to the main road bridge, the Rai River from its source to Bulford Bridge, the Cobb River upstream from the first gorge upstream from Cobb Lake, that point being more particularly shown by white posts on the river banks, or in any tributary of any such river or stream or, as the case may be, of the part specified in this subparagraph:
 - (ii) Use any lure or bait other than artificial fly or artificial bait in the Waihopai River from its source to the Waihopai Bridge or in any tributary of that part of the Waihopai River, or, if holding a junior licence, in the Maitai River:
 - (iii) Tow or troll any lure from a mechanically propelled or mechanically drawn boat in the Cobb Lake; or in that part of Lake Rotoroa within a radius of 200 yards from the centre of the meeting lines with the lake of all rivers and streams entering the lake; or in that part of Lake Rotoroa within a radius of 200 yards from the centre of the meeting line with the lake of the outlet from the lake of the Gowan River:
 - (iv) Fish from any boat in Lake Rotoiti within a radius of 200 yards from the centre of the meeting lines with the lake of the Travers River and Cold Water Creek; or within a radius of 200 yards from the centre of the outlet of the Buller River from the lake, that outlet being more particularly shown by white posts on the river bank:
 - (v) Use natural bait within the Marlborough Acclimatisation District, except in the Wairau River downstream from the No. 1 State Highway Bridge, or, if holding a junior licence, in the Taylor River or the Opawa River:

Open Season Extension

- (e) There shall be an open season in the Cobb Reservoir, Lake Daniells, Lake Rotoiti, and Lake Rotoroa from the 1st day of November to the 31st day of July in the year next following (both dates inclusive):

Close Season Exceptions

- (f) There shall be an open season from the 1st day of October to the 30th day of April in the next year following (both dates inclusive) and from the 20th day of May to the 31st day of August in the same year (both dates inclusive) in the following rivers:
- (i) The Awatere River:
 - (ii) The Clarence River downstream from the Glen Alton Bridge:
 - (iii) The Pelorus River downstream from its confluence with the Rai River:
 - (iv) The Wairau River downstream from its confluence with Wash Creek.

Open Season Exception

- (g) No person shall fish for acclimatised fish in the Cobb Reservoir or in Lake Daniells during the month of October.

5. Revocation—The Freshwater Fisheries Regulations (Marlborough and Nelson) Modification Notice 1969* is hereby revoked.

Dated at Wellington this 10th day of November 1970.

ALLAN McCREADY, Minister of Marine.

*S.R. 1969/141

EXPLANATORY NOTE

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

Except as varied by Modification Notices of local application, the Freshwater Fisheries Regulations 1951 provide, *inter alia*, that—

- (a) The *limit bag*, which is the maximum number of acclimatised fish (being trout or salmon) that may be taken by 1 person in 1 day computed from midnight to midnight, shall be 50:
- (b) The *size limit*, which is the minimum size of fish lawfully takeable, measured from tip of nose to tip of tail, shall be 6 in. for trout and salmon. Undersized fish must be released unharmed and are not reckoned in the limit bag:
- (c) Only artificial or natural fly, insect, worm, crustacea, or fish are lawful lures or baits for acclimatised fish. Shellfish (mollusca) and fish roe are illegal. Not more than 2 lures or baits may be used. Artificial flies, which include feathered lures, must have only 1 hook. In waters restricted to fly, no weight or loaded lure is permitted. Any weight must be affixed above any lure or bait, and, with artificial minnow (which includes spoon), at least 15 in. above:
- (d) The duration of the *open season* for acclimatised fish is from 1 October to 30 April.

This notice modifies the provisions of the general regulations in the Marlborough and Nelson Acclimatisation Districts by providing that there shall be no limit bag for the Cobb Reservoir, Lake Daniells, Lake Rotoiti, or Lake Rotoroa, by reducing the number of salmon and trout in a limit bag in other waters to 10, of which not more than 4 may be taken from certain specified waters, by increasing the size limit to 12 in. except in the Maitai River where it is increased to 10 in., by imposing restrictions on lures and methods in specified waters, by providing for an open season in the Cobb Reservoir, Lake Daniells,

Lake Rotoiti, and Lake Rotoroa from 1 November to 31 July, by extending the duration of the open season in certain waters, and by prohibiting fishing in the Cobb Reservoir and Lake Daniells during the month of October.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 12 November 1970.
This notice is administered in the Marine Department.