

**1970/222**

**THE FRESHWATER FISHERIES REGULATIONS (OTAGO)  
MODIFICATION NOTICE 1970**

PURSUANT to the Fisheries Act 1908 and the Freshwater Fisheries Regulations 1951, and, in relation to paragraphs (g) and (h) of clause (4) hereof, on the written application of the Otago Acclimatisation Society, the Minister of Marine hereby gives the following notice.

NOTICE

**1. Title**—This notice may be cited as the Freshwater Fisheries Regulations (Otago) 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 Otago Acclimatisation District.

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

*Limit Bag*

(a) No person shall on any one day take or kill more than 10 acclimatised fish:

*Size Limit*

(b) No person shall take or kill in any manner whatever or intentionally have in his possession any acclimatised fish that does not exceed in length—

(i) In the case of any trout or salmon taken from the Water of Leith, 9 in.:

(ii) In the case of any trout or salmon taken from any other water in the district, 10 in.:

*Restrictions on Lures and Methods*

(c) No person in fishing for acclimatised fish shall—

(i) Troll from any mechanically propelled or towed boat in any river or stream in the district or in that part of the Catlin's River known as Catlin's Lake:

*Indigenous Fish*

(d) No person in fishing for eels shall use any hook smaller than size 4/0 (old numbers) or any hook attached by gut or nylon to a line, unless he is fishing in any river within 1 mile of the sea by water from low-tide mark:

\*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

*Open Season Exceptions*

(e) No person shall fish for any acclimatised fish—

(i) In the waters of the Mataura River between a straight line drawn across the river from a point on the east bank in line with the northern boundary of Eden Street in the Borough of Mataura and downstream to a point 100 yards below the Mataura Bridge, that line being more specifically shown by the sites of white posts marked "Prohibited Fishing Limit" erected on the banks of the river at the terminal points of the line:

(ii) Between the Roxburgh Dam and a line joining the sites of posts marked "Fishing prohibited above this point", placed on each side of the Clutha River at the outlet of the spillway from the Roxburgh powerhouse:

(f) No person shall fish for acclimatised fish during the month of October in the Upper Manorburn Dam:

*Open Season Extensions*

(g) There shall be an open season for perch from the 1st day of October to the 30th day of April in the year next following (both dates inclusive) and from the 9th day of May to the 31st day of August in the same year (both dates inclusive) in the Mahinerangi Dam, except in tributaries of that dam:

(h) There shall be no close season in the following waters:

(i) Estuarine—

(1) The Clutha River downstream from the main road bridge at Balclutha:

(2) The Taieri River downstream from the main road bridge at the entrance to "Outram Glen" above the township of Outram:

(ii) Lakes, dams, and lagoons—

(1) Butcher's Dam:

(2) Conroy's Dam:

(3) Phoenix Dam:

(4) Poolburn Dam:

(5) Lake Onslow:

(6) Lake Waihola, including the waterway connecting this lake to Lake Waipori and east on that waterway to the railway bridge:

(7) Lake Waipori:

(8) Tomahawk Lagoon.

**5. Revocation**—The Freshwater Fisheries Regulations (Otago) Modification Notice 1968\* is hereby revoked.

Dated at Wellington this 3rd day of November 1970.

ALLAN McCREADY, Minister of Marine.

## 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 to 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 two 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 Otago Acclimatisation District by reducing the limit bag to 10, amending the size limit in the Water of Leith to 9 in., imposing restrictions on lures and methods that may be used in certain waters, restricting the operation of the open season in a specified part of the Mataura River and in the Upper Manorburn Dam, extending the open season for perch in certain waters, and declaring that there shall be no close season in certain waters.

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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.