

1973/18



THE ROTORUA TROUT FISHING REGULATIONS 1971,
AMENDMENT NO. 2

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 5th day of February 1973

Present:

THE HON. N. E. KIRK PRESIDING IN COUNCIL

PURSUANT to the Fisheries Act 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Rotorua Trout Fishing Regulations 1971, Amendment No. 2, and shall be read together with and deemed part of the Rotorua Trout Fishing Regulations 1971* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of July 1973.

2. Meaning of "artificial fly"—Regulation 2 of the principal regulations is hereby amended by adding to the definition of the term "artificial fly" in subclause (1) the words " , unless the hook incorporated in the lure does not exceed 14 mm in length (exclusive of the eye) and the gap of the hook does not exceed 6 mm and the hook is not larger than size No. 10 ('Redditch' or 'old' scale)".

3. Meaning of "assembled rod"—Regulation 2 of the principal regulations is hereby further amended by revoking the definition of the term "assembled rod" in subclause (1), and substituting the following definition:

"'Assembled rod' means a rod that is assembled from butt to tip, together with a reel, line, and lure attached:".

4. Meaning of "lure"—Regulation 2 of the principal regulations is hereby further amended by revoking the definition of the term "lure" in subclause (1), and substituting the following definition:

"'Lure' means any artificial or natural fly, and any artificial or natural minnow:".

5. Meaning of "open season"—Regulation 2 of the principal regulations is hereby further amended—

- (a) By omitting from paragraph (b) of the definition of the term "open season" in subclause (1) the words "first Saturday in December", and substituting the words "1st day of December":
- (b) By omitting from paragraph (c) of the same definition the words "first Saturday in October", and substituting the words "1st day of October".

6. Fishing without licence prohibited—Regulation 3 of the principal regulations is hereby amended by revoking subparagraphs (ii) and (iii) of paragraph (b), and substituting the following subparagraphs:

"(ii) In the waters or from the banks of the Rangitaiki River and the Otamatea Stream which lie upstream from the junction of the Rangitaiki River and the Otamatea Stream:

"(iii) In the waters or from the bank of that portion of the Mohaka River and the Waipunga River, and their tributaries which lie upstream from the junction of the Mohaka and Waipunga Rivers:".

7. Kinds of licences—Regulation 5 of the principal regulations is hereby amended by inserting in paragraph (b), after the words "later than", the words "the day".

8. Restrictions on methods of fishing—(1) Regulation 16 of the principal regulations is hereby amended by inserting in subclause (1), after paragraph (b), the following paragraph:

"(ba) Any spear or similar instrument; or".

(2) Regulation 16 of the principal regulations is hereby further amended by adding to the second proviso to subclause (1) the words "or that part of Lake Tarawera which lies inside a line, the ends of which are shown by landmarks on the shore, and which is 200 metres from and parallel to the shores of Kariri Point and Rangiriuru Bay".

9. Restrictions on lures—(1) Regulation 17 of the principal regulations is hereby amended by adding to paragraph (c) of subclause (1) the word "or", and by adding to that subclause the following paragraph:

"(d) Use an artificial minnow in any water in which the use of artificial minnow is not prohibited, if the lure (including any weight, whether of metal or any other substance, used in conjunction with the lure to facilitate its casting or sinking) weighs more than 40 grammes:

"Provided that this paragraph shall not apply to any person fishing in the waters or from the bank of Lake Rotoma or of those parts of Lake Okataina or Lake Tarawera which lie outside the arc of a circle having a radius of 300 metres around the centre of the mouth or mouths of every stream, spring, or river flowing into or out of either of those lakes."

(2) Regulation 17 of the principal regulations is hereby further amended by omitting from subclause (2) the words "any lure other than a lure specified against", and substituting the words "any lures other than those specified for".

10. Fishing competitions—The principal regulations are hereby further amended by inserting, after regulation 45, the following regulation:

“45A. (1) Except with the prior written approval of the Conservator of Wildlife at Rotorua and in compliance with any conditions imposed by him in giving that approval, no person shall promote or conduct, or attempt to promote or conduct, any form of contest or competition where the winning of any prize is an inducement to take trout.

“(2) Any approval given by the Conservator under subclause (1) of this regulation may be given subject to such conditions as he considers necessary for the welfare of the fisheries.”

11. Rotorua Trout Fishing District—The principal regulations are hereby further amended by revoking the First Schedule, and substituting the First Schedule set out in the First Schedule to these regulations.

12. Lures permitted in certain waters—The Fourth Schedule to the principal regulations is hereby amended by inserting in column 1 of clause (1), after paragraph (b), the following paragraph:

“(ba) That part of Lake Tarawera which lies inside a line, the ends of which are shown by landmarks on the shore, and which is 200 metres from and parallel to the shore of Kariri Point and Rangiuuru Bay.”

13. Metric conversions—The principal regulations are hereby further amended in the manner indicated in the Second Schedule to these regulations.

SCHEDULES

FIRST SCHEDULE

“NEW FIRST SCHEDULE TO PRINCIPAL REGULATIONS

“DESCRIPTION OF ROTORUA TROUT FISHING DISTRICT

All that area in the South Auckland, Gisborne, Wellington, and Hawke's Bay Land Districts, bounded by a line commencing at the middle of the mouth of the Mohaka River in Block XIII, Waihua Survey District, and proceeding up the middle of that river to a point in line with Trig. Station 68A in Block XIII, Kaweka Survey District and Trig. Station 65A in Block XXI, Kaweka Survey District; thence southerly along a right line to the said Trig. Station 65A; thence westerly along right lines to Trig. Station 26 Tauwheketewhango in Block XII, Mangamaire Survey District, to Trig. Station 27 Motumatai in Block XV, Mangamaire Survey District, to Trig. Station 28 Manukaipapu in Block XVI, Kaimanawa Survey District, to Trig. Station N Ruapehu in Block XI, Ruapehu Survey District, to Trig. Station H Paretetaitonga in Block XI, Ruapehu Survey District, and to Trig. Station C Hauhungatahi in Block V, Ruapehu Survey District;

FIRST SCHEDULE—*continued*

thence northerly along a right line to a point in the middle of the Whakapapa River distant 200 metres downstream from the Whakapapa-Mangatepopo Tunnel Intake in Block IX, Tongariro Survey District, along a right line to a point in the middle of the Okupata Stream distant 200 metres downstream from the Okupata drop-shaft of the aforesaid tunnel in Block VII, Tongariro Survey District, down the middle of the Okupata Stream to the middle of the Wanganui River and up the middle of that river to a point in line with the western boundary of Waione Block in Block XIV, Maungaku Survey District; thence northerly to and along that boundary to Trig. Station 1545 Maungaku in Block X, Maungaku Survey District; thence northerly along the summit of the Hauhungaroa Range passing through Trig. Stations 1711 Hauhungaroa in Block XIV, Puketapu Survey District, Motere in Block V, Puketapu Survey District, 2019 Tuhingamata in Block II, Puketapu Survey District, and 2016 Weraroa in Block XI, Hurakia Survey District, to Trig. Station 1390 Pureora in Block III, Hurakia Survey District; thence north-westerly along a right line to Pukeroa Trig. Station in Block XIV, Ranginui Survey District; thence north-easterly along the watershed between the Waiteti and the Mangakino Streams to Trig. Station Taupaki in Block I, Whakamaru Survey District; thence easterly along a right line to Maraetai Dam on the Waikato River in Block II, Whakamaru Survey District; thence north-easterly along a right line to Trig. Station 1002 in Block XV, Patetere South Survey District; thence due east to a right line between Pureora Trig. Station aforesaid and Puwhenua Trig. Station in Block VII, Tapapa East Survey District; thence north-easterly along that right line to Puwhenua Trig. Station; thence north-westerly along a right line in the direction of Te Weraiti Trig. Station in Block IV, Opoutihi Survey District, to a point due west of Otanewainuku Trig. Station in Block XVI, Otanewainuku Survey District; thence due east through Otanewainuku Trig. Station to a point due south of Trig. Station JI in Block IV, Waihi South Survey District; thence due north through Trig. Station JI to the mean low-water mark of the sea; thence easterly and southerly along the mean low-water mark, crossing the mouths of all harbours and rivers to the point of commencement, including Rurima Rocks, Whale Island, White Island, and all other adjacent islands.”

SECOND SCHEDULE

Reg. 13

METRIC CONVERSIONS

Provision of Principal Regulations Amended	Amendment
Regulation 16	<p>By omitting from subclause (1) (d) the expression “$\frac{1}{2}$ in.”, and substituting the expression “1 cm”.</p> <p>By omitting from the second proviso to subclause (1) the words “300 yards”, and substituting the words “300 metres”.</p>

SECOND SCHEDULE—*continued*
METRIC CONVERSIONS—*continued*

Provision of Principal Regulations Amended	Amendment
Regulation 18	<p>By omitting from subclause (1) (a) the words "100 yards", and substituting the words "100 metres".</p> <p>By omitting from subclause (1) (b) the words "3 miles", and substituting the words "5 kilometres".</p> <p>By omitting from subclause (1) (c) the words "50 yards", and substituting the words "50 metres".</p> <p>By omitting from subclause (1) (d) the words "1½ miles", and substituting the words "2.5 kilometres".</p>
Regulation 19	By omitting from the heading and from paragraph (c) the words "100 yards", and substituting in each case the words "100 metres".
Regulation 20	<p>By omitting from subclause (2) the words "500 yards", and substituting the words "500 metres".</p> <p>By omitting from subclause (2) the words "100 yards", and substituting the words "100 metres".</p>
Regulation 23	<p>By omitting from subclause (1) the expression "12 in.", and substituting the expression "30 cm".</p> <p>By omitting from subclause (1) the expression "14 in.", and substituting the expression "35 cm".</p>
Regulation 33	By omitting the expression "50 lb", and substituting the expression "25 kg".
Regulation 34	By omitting the expression "50 lb", and substituting the expression "25 kg".
Regulation 38	By omitting from subclause (1) (c) the expression "6 in.", and substituting the expression "15 cm".
Fourth Schedule	<p>By omitting from column 1 of clause (1) (b) the words "1½ miles", and substituting the words "2.5 kilometres".</p> <p>By omitting from column 1 of clause (1) (b) the words "3 miles", and substituting the words "5 kilometres".</p> <p>By omitting from column 1 of clause (1) (d) the words "300 yards", and substituting the words "300 metres".</p> <p>By omitting from column 1 of clause (1) (g) the words "300 yards", and substituting the words "300 metres".</p>

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations make miscellaneous amendments to the Rotorua Trout Fishing Regulations 1971. They are to come into force on 1 July 1973.

Regulation 2 substitutes a new definition of "artificial fly", the effect of which is to permit the use of a weighted lure under certain conditions. The new definition reinstates provisions that applied under the former regulations.

Regulation 3 substitutes a new definition of "assembled rod". The only change is to include a lure among the requirements of the definition.

Regulation 4 substitutes a new definition of "lure" the effect of which is to exclude artificial and natural worms.

Regulation 5 amends the definition of "open season". In the waters specified in paragraph (b) of the definition, the season opens on 1 December instead of on the first Saturday in December, and in the waters specified in paragraph (c) the season opens on 1 October instead of on the first Saturday in October.

Regulation 6 will enable the holders of Taupo licences to fish the Otamatea Stream and the Waipunga River as well as the other waters specified in paragraph (b) of the proviso to regulation 3 of the principal regulations.

Regulation 7 is a minor drafting amendment only.

Regulation 8 (1) prohibits the taking of trout by means of any spear or similar implement.

Regulation 8 (2) establishes a fly-fishing area only in certain parts of Lake Tarawera.

Regulation 9 (1) imposes a weight limit on lures. It reinstates a limit that was in force before the commencement of the principal regulations.

Regulation 9 (2) is a minor drafting amendment only.

Regulation 10 provides that fishing competitions may not be held except with the prior written approval of the Conservator of Wildlife at Rotorua and subject to any conditions imposed by him.

Regulation 11 redefines the boundaries of the Rotorua Trout Fishing District.

Regulation 12 amends the Fourth Schedule to the principal regulations defining the waters in which certain lures only are permitted. It is consequential on the amendment in regulation 8 (2) permitting fly fishing only in certain parts of Lake Tarawera.

Regulation 13 effects metric conversions of imperial measurements in the principal regulations. The conversions are not exact, but have been rounded off for convenience.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 8 February 1973.

These regulations are administered in the Department of Internal Affairs.