

**THE
TAUPO
FISHERY
REGULATIONS
2004**

Taupo Fishery Area
Tongariro/Taupo Conservancy
Private Bag
Turanga Place
TURANGI



Department of Conservation
Te Papa Atawhai

DOCDM-344982

Information on illegal activity is only of use if it is passed on immediately.

**If you have any information regarding compliance and enforcement matters
please contact:**

**Taupo Fishery Area Duty Officer
Telephone: 027 290 7758**

For general fishing queries please contact:

**Taupo Fishery Area Manager
Department of Conservation
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Telephone: (07) 386 8607
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Version 2 – Incorporating all changes up to 1st October 2008

Last Updated 12th September 2008

This consolidated guide to the regulations created: June 2004

DOCDM-344982

THE TAUPO FISHERY REGULATIONS 2004

This is a consolidated guide to the Taupo Fishery Regulations and incorporates the content of the go6721 Notice 2008. While every endeavour has been made to ensure accuracy, it does not purport to be a facsimile of the regulations. Readers should note that the regulations are subject to amendment from time to time. You should check that your edition of this guide is up to date.

Notes in italics in the right hand margin are for explanation and cross referencing only. They do not form part of the regulations.

TAUPO FISHERY REGULATIONS 2004

Pursuant to sections 48 and 48A of the Conservation Act 1987 and section 14 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

These regulations are the Taupo Fishery Regulations 2004.

2 Commencement

These regulations shall come into force on 1 July 2004.

3 Application

- (1) These regulations shall apply only in the Taupo District.
 (2) These regulations apply subject to the provisions about the issue of licences in section 14(9)(c) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926.

The district is defined on pages 7, 19 and 20..

4 Interpretation

- (1) In these regulations, unless the context otherwise requires, -

artificial fly includes any lure of feather, fur, wool, or other material used in the making of artificial flies:

Does not include fly-spoons.

artificial lure means any artificial lure which has a hook attached or incorporated, other than an artificial fly:

Artificial lure includes spoons, jigs, casting and trolling lures and fly-spoons but does not include a jig which has no hook attached.

boat includes -

- (a) a ship, launch or other vessel; and
- (b) any canoe, punt, or raft; and
- (c) any aircraft or hovercraft on the surface of the water

Float tubes and similar devices are classed as boats.

commercial freezing chamber means any freezing chamber (including any cool store, refrigeration works, or freezing or cooling device) -

- (a) situated in or on any plant, or premises (not being a private dwelling house); and
- (b) in which trout are or have been in the preceding 6 months frozen or otherwise preserved, treated, or stored

commercial smokehouse means any smokehouse (including any fish preparation room, salting room, or drying room adjacent to or forming part of that smokehouse) -

- (a) situated in or on any plant, or premises (not being a private dwelling house); and
- (b) where trout are or have been in the preceding 6 months preserved, or treated, or stored

Committee means the Taupo Fishery Advisory Committee continued under Regulation 30

day means a day computed from midnight to midnight

Department means the Department of Conservation

Director-General means the Director-General of Conservation

fly fishing means fishing for sports fish with fly rod and fly reel, fly line, and a natural or artificial fly:

Only flyfishing gear can be used in waters reserved for fly fishing only

foul hook in relation to a trout, means to take the trout with a hook otherwise than through the mouth

issuing officer means a person authorised to issue licences under these regulations

landmark means a white, black and yellow ringed post or buoy

length in relation to a fish, means the total length from the tip of the snout to the fork of the tail of the fish

licence means a licence to take trout issued in accordance with these regulations

You must have a Taupo District licence to fish for trout in the district.

lure means any artificial or natural fly, and any artificial lure

Bait fishing is prohibited.

Minister means the Minister of Conservation

natural fly –

- (a) includes spiders and insects; but
- (b) does not include anything the use of which is prohibited by regulation 21(1)(b)

Excludes creeper and huhu grub

officer means a warranted officer within the meaning of the Conservation Act 1987

open season in relation to the Taupo District, means -

- (a) 1 December in any year to 31 May in the following year (both days inclusive) in respect of the following waters:
 - (i) that portion of the Tongariro River between Poutu intake at NZMS 260 T19 539268 and a point being the normal site of a landmark that is 500 metres, more or less, upstream of the point where the river is joined by the Whitikau Stream:
 - (ii) that portion of the Waiotaka River between its source and the north-western boundary of Kaimanawa Forest Park at map reference NZMS 260 T19, 609 357:

Fishing is prohibited at all times in the Waiotaka River within Tongariro-Rangipo Prison from this point north, to approximately 2km above the Hautu Ford on Waiotaka Road.
 - (iii) that portion of the Waimarino River between its source and the point known as Korohe Crossing at map reference NZMS 260 T19 597451:
 - (iv) that portion of the Tauranga-Taupo River between its source and its junction with the Mangakowhitiwiti Stream at map reference NZMS 260 T19 638472:

Commonly called the Rangers' Pool
 - (v) the Hinemaiaia Stream between its source and the lower hydro-electric supply dam at map reference NZMS 260 U18 749548:

Commonly called HB Dam.
 - (vi) the Hinemaiaia Stream downstream from a point the normal site of a sign at map reference NZMS 260 U18 747557 approximately 300 m downstream from the powerhouse of the lower hydro-electric supply dam, to the Taupo-Turangi highway bridge:

The powerhouse is 500 metres before the end of the access road which travels beside the river upstream from SH1.
 - (vii) that portion of the Waitahanui River between its source and the point where it is joined by the Te Arero Stream at map reference NZMS 260 U18 785602:

The Te Arero Stream is approx. 1.5km upstream of the end of Blake Road.
 - (viii) the Mangamutu Stream:

These are the western tributaries of the lake.
 - (ix) all rivers and streams entering that portion of Lake Taupo that lies north and west of a line between Rangitira Point and the wharf at Tokaanu; but excluding the mouths of the Tongariro River and that portion of the Kuratau River upstream from the Kuratau hydro-electric supply dam and that portion of the Waihaha river upstream of Tieke falls:

The Kuratau lake and upper river and the upper Waihaha River are open from 1 October to 30 June.
 - (x) all tributaries of the rivers and streams and portions of rivers and streams specified in this paragraph:
- (b) 1 October in any year to 30 June in the following year (both days inclusive), in respect of the following waters:

- (i) that portion of the Kuratau River upstream from the Kuratau hydro-electric supply dam: *Includes Lake Kuratau*
- (ii) the Tongariro River upstream of Poutu intake: *Includes the Waipakahi River*
- (iii) the Waihaha river upstream of Tieke falls: *Not to be confused with the Whanganui Stream in Western Bay.*
- (iv) the Whanganui River and those portions of the upper tributaries of that river that lie within the district:
- (c) 1 October in any year until 31 May in the following year (both days inclusive) in relation to the following waters:
- (i) Lake Otamangakau and Lake Te Whaiu; and *The Te Whaiu stream and its tributaries are closed to fishing at all times.*
- (ii) the Wairehu and Te Whaiu canal
- (d) 1 July in any year to 30 June in the following year (both days inclusive) in respect of all other waters in the Taupo District:
- This includes Lake Taupo, Lake Moawhango, and the lower reaches of the Tongariro, Waiotaka, Waimarino, Tauranga-Taupo, Hinemaiaia, and Waitahanui rivers, the Tokaanu Tailrace and the Waikato River down to Huka Falls.*
- There is no open season in waters where fishing is permanently prohibited - see R.5 and 18(b). Most, but not all, of these boundaries are marked with signs or landmark poles.*
- strike indicator**
- (a) means any synthetic or natural yarn and its means of attachment to the line or cast used by the person fishing as an aid to detect a strike; but *Only yarn can be used for strike indicators in fly-only waters but it may have a clip to attach it to the line.*
- (b) does not include -
- (i) Any other material or any other object attached to the line or cast; or
- (ii) Any synthetic or natural yarn to which has been added any material or chemical (other than a colour dye or surfactant line floatant preparation) *You can only add a dye or line floatant to a strike indicator.*
- Take** includes –
- (a) taking, fishing for, catching, killing, or pursuing by any means or device; and *You are deemed to 'take' trout even if your attempts are unsuccessful. Fishing includes any activity in preparation or support of taking fish.*
- (b) attempting to take
- Taupo District** means the district described in the Taupo District Order 1983 *See description and map on pages 19 and 20*
- trout** includes –
- (a) char of any species; and
- (b) any hybrid of any trout or char; and
- (c) any trout whether alive or dead, and any part of a trout.
- (2) For the purposes of these regulations, a person who is fishing is to be treated as fishing -
- (a) at the place from where he or she is fishing; and
- (b) at any place reached by his or her line and lure. *Note this in relation to the boundaries of closed waters, fly fishing only areas and restricted boat fishing areas.*

Prohibitions and restrictions on fishing

5 Fishing prohibited in certain waters

- (1) A person must not take trout in any of the following waters:
- Fishing is prohibited in these waters at all times.*
- (a) the Waitetoko Stream
 - (b) the Tokaanu Stream
 - (c) the Whareroa Stream
 - (d) the Omoho Stream
- (Commonly known as Chinaman's Creek)*
- (e) the Whangamata Stream
 - (f) the Mapara Stream
 - (g) all tributaries of the streams specified in paragraphs (a) to (f):
 - (h) that portion of the Hinemaiaia Stream which lies between the lower hydro-electric supply dam and a point being the normal site of a sign situated approximately 300 m downstream from the powerhouse of the dam:

(Commonly known as HB Dam)

 - (i) all rivers and streams (including the Poutu Aqueduct) flowing into Lake Rotoaira except the Wairehu Canal:
 - (j) all tributaries of the Waimarino Stream:
 - (k) all tributaries of the Tongariro River other than the Poutu Stream, and the Waipakihi Stream:

Includes the Waihukabuka (hatchery), Whitiikan, Mangamwhitiwhiti and Waipa Streams

 - (l) all tributaries of the Poutu Stream:
 - (m) all tributaries of the Tauranga-Taupo River:
 - (n) the Omori Stream:
 - (o) the Pukawa Stream:
 - (p) the Tokaanu tailrace for a distance of 110 m downstream from the powerhouse:
 - (q) all tributaries of the Waitahanui River, except the Mangamutu Stream:
 - (r) all tributaries of the Mangamutu Stream:
 - (s) that portion of the Waiotaka River that lies wholly within the boundaries of the Tongariro-Rangipo Prison between map reference NZMS 260 T19 566422 (approximately 2 kilometres upstream of the Hautu Ford on Waiotaka Road) and 609 357 (the north-western boundary of Kaimanawa Forest Park)
 - (t) all tributaries of the Waiotaka River:
 - (u) all tributaries of the Whanganui Stream:
 - (v) the Tutaeuaua Stream:
 - (w) the Otutira Stream:
 - (x) the Otaketake Stream:

(Commonly known as Stony Creek)

 - (y) the Waitotara Stream:
 - (z) the Waipahi Stream:
 - (za) Te Whaiu Stream and its tributaries, including the Whanganui River diversion outfall.
- (2) A person must not take trout from -
- (a) the Taupo boat harbour wharf or Taupo boat harbour jetties:
 - (b) the control gates bridge over the Waikato River at Taupo:
 - (c) the bridge over the Tokaanu Tailrace which carries State Highway 41:
- (3) A person must not take trout from -
- (a) any waters in which trout are held in captivity for display, hatching, or other purposes; or
 - (b) from within a distance of 80 m from those waters.
- (4) However, subclause (3) does not apply to fishing events held in the grounds of the Tongariro National Trout Centre by the Department for educational purposes.

6 Restriction on taking fish from or near control apparatus

A person must not take any fish in or from any water which is within 100 m of any net, trap, pound net, electrical device, or other contrivance -

- (a) erected or placed for the purpose of preventing or controlling the movement of fish; and
- (b) used by any person for-
 - (i) the purposes of the protection, management, enhancement, or conservation of fish; or
 - (ii) other authorised purposes.

7 Classes and forms of licences

Licences issued to take trout must be in the forms and for the classes fixed by notice in the *Gazette*.

Only special Taupo licences may be used in the district. No Fish and Game Council licence is valid here.

8 Issue of licences

(1) Licences must be issued only by persons authorised in writing in that behalf by the Director-General.

(2) An applicant for a licence must furnish his or her full name, date of birth and usual address to the person issuing the licence.

Another person may obtain a licence for you but it must be made out in your name and it is not valid until you have signed it.

(3) A person issuing licences must, when required to do so by the Director-General, return all unissued licences and the butts of all issued licences and any licence fees not already remitted.

9 Licence to be signed by licence holder

A licence does not take effect until the holder has signed his or her usual signature clearly and legibly in the space provided for the purpose on the licence.

The Conservation Act (S.26ZI) requires any person fishing for trout to have a valid fishing licence.

10 Licence fees

(1) The fees fixed by notice in the *Gazette* for a licence must be paid and received for the licence.

(2) The appropriate fee must be paid to the issuing officer before the issue of the licence.

(3) Every person commits an offence against these regulations who, with the intention of obtaining a licence for a fee lower than the fee set by notice in the *Gazette*, makes any false representation to an issuing officer as to the age of himself or herself or of any other person or as to whether or not he or she or any other person is attending school full time as a pupil.

Child licences can only be used by persons less than 16 years of age or attending school full time as a pupil. This does not include tertiary students aged 16 or more.

(4) Despite subclause (1), the Director-General may issue a licence to a person either for no fee or for a reduced fee that the Director-General approves.

11 Replacement of lost or damaged licences

If any person to whom a whole season licence has been issued proves to the satisfaction of the Director-General, by such evidence that the Director-General requires, that the licence has been lost or mutilated or become illegible, he or she may at any time during the currency of the licence, obtain from the Director-General a replacement licence free of charge.

To replace a lost whole season licence contact the Department of Conservation in Turangi for an application form. Short term licences cannot be replaced.

12 Licences not transferable

A licence is not transferable to a person who is not named in the licence to take trout.

Other people cannot use your licence.

13 Unauthorised amendment of licences prohibited

(1) A person, except an issuing officer, must not amend anything appearing on the face of a licence.

(2) A person must not intentionally falsify or intentionally omit any information that is required by these regulations to be specified on the face of a licence.

14 Rights to fish conferred by licences

- (1) The holder of a current licence may, subject to these regulations, take trout in any part of the Taupo District between the first and the last days specified in the licence (both days inclusive) or on the day specified in the licence, as the case may be.
- (2) In addition to the rights conferred on the holder of a current licence under these regulations, if the holder of the licence is the holder of a permit issued under Part 1 of the Maori Purposes Act 1959, the holder is also entitled to take trout in the waters to which the Rotoaira Trout Fishing Regulations 1979 apply in accordance with and subject to the conditions specified in those regulations.

To fish Lake Rotoaira it is necessary to hold both a Taupo licence and an entry permit.

15 Right of way over land

Every licence issued in respect of the Taupo District is to be treated as if it were a special licence within the meaning of section 14 (4)(b) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, and the provisions of section 14 of that Act apply accordingly.

See the note on page 18 for a description of these rights-of-way.

This right-of-way applies to foot access only.

16 Licence not otherwise to confer right of entry on land

- (1) A licence does not confer any right of entry upon the land of any person without his or her consent.
- (2) This regulation applies subject to regulation 15.

See the note on page 18 for a description of these rights-of-way.

17 Operator not to permit unlicensed persons to fish from commercial vessel

- (1) A person who operates a commercial ship on Lake Taupo, or who causes or permits a ship to be operated on Lake Taupo, must not permit any other person to fish for trout from the ship unless the other person holds an appropriate current licence to fish.
- (2) In this regulation, **commercial ship** has the same meaning as in the Maritime Transport Act 1994.

Commercial boat operators are liable if unlicensed people fish from their boat.

A commercial ship is a ship that is not a pleasure craft, or solely powered manually, or solely powered by sail.

Circumstances under which fishing is authorised

18 Prohibitions relating to trout fishing

A person must not take trout –

- (a) during the period between the hours of 12 midnight and 5 am; or
- (b) from any waters, except during the open season for those waters.

*You must stop fishing at 12 midnight and cannot begin until 5 am.
See 'open season' list in R.4(1)*

19 Anglers to give name and address, and produce licence

Every person taking trout or in possession of a rod or gear suitable for taking trout must, if required to do so by an officer, -

You are entitled to request the officer to show you his or her warrant of appointment.

- (a) give his or her full name and place of residence, and, if also required to do so by the officer, produce and show to the officer his or her licence and the contents of his or her creel or container and any lure or bait in his or her possession;
- (b) Make or give legibly and clearly a specimen signature for comparison with the signature of the holder on the licence required under regulation 9.

20 Restrictions on methods of fishing

(1) A person must not -

See also R.21.

- (a) take trout by any means other than with one rod and running line; or
- (b) use for the purpose of taking trout –
 - (i) any gaff; or
 - (ii) any spear or similar implement, or speargun; or
 - (iii) any hook which has a distance greater than 14mm between the point and the shank; or
 - (iv) any lure having attached to it more than one hook or a hook that is not a single-pointed or single-barbed hook; or
 - (v) any net, trap, wire netting, or similar device; or
 - (vi) more than 3 lures; or
 - (vii) any fish-attracting electronic device; or
 - (ix) any line incorporating or containing wire, lead, or any other metal except as provided in subclause (3).

You may only use one rod and reel at any time but you may have other assembled rods with you.

Treble hooks & lures with more than one hook are not allowed.

You may use three flies or lures.

There is no weight restriction for artificial lures or flies.

take trout when wearing or using felt-soled waders or foot wear incorporating or having attached a sole of felted, matted or woven fibrous material.

Felt soled waders or wading boots may not be used for fishing.

(2) This regulation does not prohibit the use of a landing net to secure any trout lawfully taken.

(3) This regulation does not prohibit the use of lines incorporating or containing wire, lead, or any other metal in any part of Lake Taupo not specified in clause 1 of column 1 of Schedule 1.

Wire and lead lines can be used anywhere in Lake Taupo where trolling is permitted. Similarly downriggers and paravanes can be used without restriction where trolling is permitted.

(5) A person must not -

- (a) foulhook or attempt to foulhook any trout;
- (b) in waters reserved only for natural fly or artificial fly fishing, add to or attach to the cast, line or fly -
 - (i) any spinning attachment; or
 - (ii) anything made from lead, glass, plastic, or other material to facilitate casting or to increase the buoyancy of the line.

You may not use a spinning rod or reel in fly only waters or attach weight to facilitate casting.

You must not use bubbles or floats in fly-only waters. However you can add lead weights to your line to facilitate its sinking eg. split shot

(6) Sub-clause (5)(b) does not prohibit the use of a strike indicator.

See definition of 'strike indicator' in R.4(1)

21 Restriction on lures*See also R.20.*

- (1) A person fishing for trout must not use -
- (a) with any lure, any medicated or chemical preparation other than a preparation used solely for the purpose of floating an artificial dry fly; or any natural medicated or chemical berley, ground bait or attractant.
- (b) Any mollusc, or the freshwater crayfish (koura), or worms, or the creeper, or the huhu or matai grub, or fish roe, or fish, but the shell of any mollusc may be used in the preparation of an artificial lure.
- (2) However, a person fishing for trout must not use in any water specified in column 1 of schedule 1 any lures or equipment other than those specified for that water in column 2 of that schedule.

*This prohibits scent lures, light sticks, ground bait or berley etc..**Bait fishing with koura, worms, creepers, huhu or fish roe is prohibited.**Artificial and natural flies can be used in all waters; artificial lure (see R.4(1)) can be used in all but fly fishing only waters. See First Schedule on page 17 and the table on page 21.*

A person fishing for trout in waters specified in paragraphs 1 to 3 inclusive of column 1 of Schedule 1 must only use fly fishing equipment with a natural fly or artificial fly.

*Only fly fishing gear can be used in fly only waters.***22 Restriction on use of boats**

- (1) A person must not take trout from a boat in the following places:
- (a) that part of the Waikato River lying between a straight line commencing at the shore end of the rock mole at the outlet of Lake Taupo and extending across the outlet for a distance of approximately 40 m to the normal site of a landmark on the western shore of the outlet, and the control gate bridge on the Taupo-Rotorua highway;
- (b) that portion of the Tongariro River upstream from a position at the head of that stretch of water known as Downs Pool, which is the normal site of a landmark;
- (c) those portions of Lake Taupo contained within arcs of circles having a radius of 300 m from the centre of the mouth or mouths of all rivers and streams entering Lake Taupo (except the mouths of the Tongariro and Tauranga-Taupo Rivers and the Waikino, Otupoto, Waipahihi, Waitotara, Tokaanu, Rotomoho, Te Awaroa, Otauanga, Tutaeueroa, Kotukutuku, Tutaeuaua, Otutira, Omoho, Te Mapu and Okaia Streams and the Rotongaio outlet);
- (d) that portion of the Hinemaiaia River which lies downstream from the lower hydro-electric dam;
- (e) that part of the Te Whaiiau Canal, Lake Otamangakau, upstream of the normal site of a landmark, and that portion of the Wairehu Canal downstream of the normal site of a landmark.

*Fishing from a boat is not allowed in the waters listed in (a) to (e) inclusive. See the table on page 21. Commonly known as the Taupo Boat Harbour.**Approximately 1 km downstream of Delatours Pool.**The stream mouths are marked with a white, yellow and black ringed post which is clearly visible from a distance.**Commonly known as the HB Dam.**Landmarks are white, yellow and black ringed posts.*

- (2) A person must not take trout from any boat in -
- (a) the Tokaanu Tailrace; or
- (b) waters that are reserved for natural fly or artificial fly fishing

To fish in the Tokaanu tailrace above or below the SH41 bridge or within 300 metres of Kuratau spit (see Third Schedule) your boat must be anchored.

- (3) Subclause (2)(b) applies subject to the exceptions in subclause (1)(c).

- (4) However, subclause (2) does not apply if the boat is securely anchored parallel to the river flow with not more than 2 anchors.

*Apart from the exceptions in (a) to (e) inclusive above, fishing from a boat is allowed in these waters if the boat is securely anchored.***23 Tagged trout**

- (1) A person must not, except with the prior written authority of the Director-General, mark any living trout by -
- (a) attaching to it a tag or other distinguishing device; or
- (b) clipping or removing a fin or fins.

Bag and Size Limits

24 Bag and size limit

- (1) A person must not on any one day take and keep more than 3 trout; and a person must not continue to fish on any day on which he or she has already taken 3 trout.
- (2) A person must not have any trout in his or her possession which –
- in the case of trout taken from the Kuratau River upstream from the hydro-electric supply dam, does not exceed 30cm in length; or
 - in the case of trout taken from the Waikato River between the control gates bridge at Taupo and the Huka Falls, does not exceed 35 cm in length; or
 - in any other case, is less than 40 cm in length; or
- (3) A person taking a trout of a length less than that specified in subclause (2) must, whether it is alive or dead, immediately return it into the water from which it was taken.
- (4) For the purpose of subclause (1), any person who takes a trout and fails to return that trout immediately to the water from which it is taken is to be treated as having taken and kept that trout.
- (5) The restrictions in –
- subclause (1) do not apply in relation to Lake Kuratau;
 - subclauses (1) and (2) do not apply in relation to Lake Moawhango, the Waipakihi River upstream of the Rangipo Dam, and the children's pond at the Tongariro National Trout Centre.

You must stop fishing once you have kept the daily bag limit, even if you do not intend to keep any more.

The minimum size limit on Lake Taupo is 40cm measured from the tip of the nose to the fork of the tail. See page 21.

If the trout is less than the minimum legal length then you must release it whether it is alive or dead.

You may not hold trout in cages, pools, live bait tanks or on stringers, etc. and then release them later.

There is no bag limit for Lake Kuratau. There is no bag or minimum size limit for these waters.

Storage and smoking of trout

25 Register for trout

- (1) A manager or person in charge of any commercial freezing chamber or commercial smokehouse must not receive any trout for any purpose or have any trout in those premises unless –
- on the day of and at the time of deposit he or she makes or causes to be made correctly in a book kept on the premises for that purpose the entries in respect of the trout specified in subclause (2); and
 - he or she permits any officer to enter those premises at all reasonable times and to inspect any fish in the premises and to inspect and copy any entries from that book.
- (2) The entries to be made in accordance with sub-clause (1) are as follows:
- the date and time of deposit of the fish on the premises;
 - the number of fish;
 - the name and address of the owner of the fish;
 - the address (if any) to which the fish are to be forwarded or the name and address of the person taking delivery of the fish;
- (3) A book kept under this regulation must be retained for at least 6 months after the last entry is made in it.

See definitions of commercial smoke house and freezing chamber in R.4(1).

26 Details to be attached to trout

A person must not place or permit to be placed or kept in any commercial freezing chamber or commercial smokehouse any trout unless there is affixed or tied to the trout a label on which is legibly written –

- the name and address of the owner of the fish; and
- the date on which the fish were deposited on the premises.

27 No gifts of trout

A person must not give, and a manager or person in charge of any commercial freezing chamber or commercial smokehouse must not receive, any trout in exchange or as a full or partial consideration for the storage or any preservation or treatment of any trout.

28 Maximum number of trout

A person must not deposit, and a manager or person in charge of any commercial freezing chamber or commercial smokehouse must not accept for deposit, in those premises, trout if the person already has a total of 12 trout deposited in the premises.

Any person, not just a licence holder, may deposit trout for smoking or freezing.

Offences and Penalties

29 Offences and penalties

- (1) Every person commits an offence who does any act in contravention of, or fails to comply with, these regulations.
- (2) Every person who commits an offence against these regulations is liable on summary conviction -
 - (a) to a fine not exceeding \$5,000 in respect of any offence; and
 - (b) in the case of an offence against regulation 6, 18, 23, 24, 25, 26, or 39, to a further fine not exceeding \$10 for each fish in respect of which the offence was committed.

There are similar penalties for offences under the Conservation Act (fishing without a licence, possession of unlawfully taken trout). The Act provides heavier penalties (\$10,000 fine or one year in prison) for poaching spawning trout, disturbing or damaging spawning grounds, taking trout with explosives, or buying and selling trout.

The Conservation Act prohibits buying or selling trout. Trout is also deemed to be sold if it forms part of a meal for which any payment is made. A person may have a trout which they have caught served to him or her and his or her immediate guests.

Taupo Fishery Advisory Committee

30 Taupo Advisory Committee continued -

- (1) The regulation continues the advisory user group known as the Taupo Fishery Advisory Committee and established by the Minister under the Taupo Fishing Regulations 1984.
- (2) The Taupo Fishery Advisory Committee consists of the following members:
 - (a) 8 members appointed by the Minister from persons nominated by the organisations specified in Schedule 3:
 - (b) 1 member to represent the Tuwharetoa Maori Trust Board and to be appointed by the Minister on advice from the Board:
 - (c) 1 member appointed by the Minister to represent national angling interests:
 - (d) 1 member to represent the New Zealand Fish and Game Council and to be appointed by the Minister on advice from the Council:
 - (e) 1 member appointed by the Minister to represent the appropriate Conservator of the Department.
- (3) The members appointed under subclause (2)(a), (b) and (c) have voting rights at meetings of the Committee, and the other members of the Committee are entitled to speak at meetings of the Committee but are not entitled to vote on any question.

31 Functions of the Committee –

The functions of the Committee are -

- (a) to advocate Taupo sport fishing interests:
- (b) to facilitate communication between the Department and anglers:
- (c) to keep anglers informed on matters affecting their interests:
- (d) to foster ethical standards of angling behaviour:
- (e) to consider and advise the Department on freshwater and sport fishing matters within the Taupo District:
- (f) to make any representations that it sees fit to the Minister, or to the Department or any other government agency or other organisation, on matters affecting the Taupo fishery, including national and regional policy statements, management strategies, and management plans:
- (g) to liaise with the New Zealand Fish and Game Council on matters of mutual interest relating to sports fish.

32 Members to hold office at pleasure

Members of the Committee hold office at the pleasure of the Minister.

33 Chairperson of Committee

- (1) The members of the Committee must elect one of their number to be Chairperson of the Committee for the term that the members think fit.
- (2) The Chairperson must preside at all meetings of the Committee at which he or she is present.
- (3) If the Chairperson is absent from any meeting of the Committee, the members present must appoint one of their number to be the Chairperson of that meeting.

34 Meetings

- (1) Meetings of the Committee must be held at least 3 times a year at the times and places that the Committee or the Chairperson appoints and the first meeting in each financial year must be called the annual general meeting of the Committee.
- (2) The Chairperson may at any time call a special meeting of the Committee, and must call a special meeting if requested in writing by any 3 or more voting members to do so.
- (3) At any meeting of the Committee, 4 of the voting members constitute a quorum and no business is to be transacted at any meeting unless a quorum is present.
- (4) Every question before the Committee must be decided by a majority of the voting members present and proper minutes must be kept of proceedings.
- (5) At any meeting of the Committee, the Chairperson has a deliberative vote, and, in the case of an equality of votes, also has a casting vote.
- (6) Subject to these regulations, the Committee may regulate its procedure in the manner that it thinks fit.

35 Other persons who may attend meetings

- (1) The Committee may allow persons who are not members of the Committee to attend meetings of the Committee.
- (2) The Conservator of the Tongariro-Taupo Conservancy of the Department is entitled to attend and speak at any meeting of the Committee, but is not entitled to vote on any question.
- (3) Not more than 4 persons representing the Tuwharetoa Maori Trust Board are entitled to attend and speak at meetings of the Committee to provide support for the member representing the Board, but are not entitled to vote on any question.

36 Servicing of Committee

The Department must provide secretarial services to the Committee.

37 Travelling allowances and expenses

- (1) The Director-General must reimburse -
 - (a) the actual and reasonable travelling and accommodation expenses incurred by voting members of the Committee in respect of their service as members of the Committee;
 - (b) half of the actual and reasonable travelling and accommodation expenses incurred by the member representing the New Zealand Fish and Game Council in respect of his or her service as a member of the Committee.
- (2) No member of the Committee is entitled to any remuneration in respect of his or her services as a member of the Committee.

General Provisions**38 Taking of fish for piscicultural, scientific, or other purposes**

- (1) Despite anything to the contrary in these regulations, the persons specified in subclause (2) may, for the purposes of pisciculture, scientific investigation, acclimatisation or propagation, -

- (a) take by any means any fish from any waters in the Taupo District at any time; and
 - (b) have in his or her possession fish taken for those purposes.
- (2) The persons are -
- (a) any person with the prior written authority of the Director-General or his or her appointee; or
 - (b) any officer of the Department acting in the course of his or her official duties.
- (3) The Director-General or his or her appointee may authorise persons who are disabled (within the meaning of the Disabled Persons Employment Promotion Act 1960) for the purposes of recreation to take sports fish by any means that would otherwise be unlawful.

Special arrangements can be made for disabled persons

39 Keeping live trout in captivity

A person must not obtain or keep in captivity any live trout for any purpose, unless the person -

- (a) has the prior written authority of the Director-General; and
- (b) complies with any conditions that the Director-General may impose.

40 Taking, possession, or sale of indigenous fish and smelt

- (1) A person must not take, possess, or sell -

- (a) any crustacean of the genus *Paranephrops* (commonly called freshwater crayfish or koura); or
- (b) any other fish indigenous to New Zealand (except any fish of the genus *Galaxias* (whitebait), any lamprey, and eel); or
- (c) smelt; or
- (d) the ova, young, or fry of the fish specified in paragraphs (a) to (c).

No person may take smelt without permission from DOC.

- (2) However, -

- (a) members of the Tuwharetoa tribe are authorised to fish for, and catch for their own use, any fish in Lake Taupo that are indigenous to that lake, subject to the conditions set down in section 14(2) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926; and
 - (b) any member of the Tuwharetoa tribe may fish for, and catch for his or her own use, smelt in Lake Taupo and the Tokaanu Tailrace during the smelt fishing season, subject to any conditions set down by the Director-General under section 26ZL of the Conservation Act 1987, if the Tuwharetoa Maori Trust Board authorises that member to fish for smelt during that smelt fishing season.
- (3) If the Tuwharetoa Maori Trust Board authorises a member of the Tuwharetoa tribe under subclause (2)(b), it must inform that member that the authorisation -
- (a) is subject to any conditions set down by the Director-General under section 26ZL of the Conservation Act 1987; and
 - (b) applies to a specified smelt fishing season; and
 - (c) expires at the end of that specified smelt fishing season.

Only members of the Tuwharetoa tribe may take koura, koaro or inanga, bullies (toitoi) or fresh water mussels (kākahi).

- (4) An authorisation given to a member of the Tuwharetoa tribe under subclause (2)(b) takes effect when the Tuwharetoa Maori Trust Board advises the Director-General, in writing, of the particulars of that authorisation, including, but not limited to,-
- (a) the name, birth date, address, phone number (if any), and email address (if any) of that member;
 - (b) any conditions, restrictions, or limitations on that authorisation.

41 Control of noxious fish

- (1) A person must not have in his or her possession or under his or her control, or rear, raise, hatch, or consign any of the species (including subspecies, hybrids, and variations of those species) specified in the Schedule 2 (**noxious fish**).
- (2) However, the Director-General may authorise in writing any person to have in his or her possession any noxious fish. An authorisation may contain any conditions that the Director-General considers necessary, and the conditions may be varied in writing at any time.
- (3) Every authority under this regulation may be revoked by the Director-General at

You must have a permit to possess any of the noxious fish listed in the Second Schedule.

any time and, on revocation, the species of noxious fish that are the subject of the authority may, after 24 hours notice given to the holder of the revoked authority, be taken without payment or other compensation by an officer authorised in that behalf and destroyed or otherwise dealt with in any manner that the Director-General may direct.

Miscellaneous

42 Fishing Competitions

- (1) No person shall promote, organise, or participate in a fishing competition where an entry fee is charged or where a total prize value exceeding \$5000 is offered unless the competition has been approved in writing by the Director-General.
- (2) An approval given under subclause (1) may be given subject to any conditions that the Director-General considers appropriate to protect the sustainability of the trout populations and overall angling values.

A permit is required to run a fishing competition where an entry fee is charged or the total prize value exceeds \$5,000

43 Revocation

The Taupo Fishing Regulations 1984 (SR 1984/347) are revoked.

SCHEDULE 1

rr 20(3), 21(2)

Restrictions on lures

	Column 1 Description of Waters	Column 2 Lures Permitted	
1	<p>All rivers and streams within the Taupo District, and all tributaries of those rivers and streams -</p> <p>(a) including -</p> <p>(i) that portion of the Hinemaiaia Stream up to the lower hydro-electric supply dam; and</p> <p>(ii) that portion of the Kuratau River up to the Kuratau hydro- electric dam; and</p> <p>(iii) that portion of the Tongariro River up to the Waikato Falls, and the Poutu Stream; but</p> <p>(b) excluding -</p> <p>(i) those portions of the Hinemaiaia stream, the Kuratau River, and the Tongariro River, not specified in paragraph (a); and</p> <p>(ii) the Waikato River from the outlet of Lake Taupo to the Huka Falls.</p>	Natural fly or artificial fly	<p><i>See the table on page 21.</i></p> <p><i>Fishing with any form of bait except natural flies is prohibited in all Taupo waters.</i></p> <p><i>1(a), 2 & 3 are "Fly Fishing Only" waters. You must use fly fishing equipment in waters specified in paragraphs 1 to 3.</i></p> <p><i>Refer to definitions of 'artificial fly' and 'artificial lure' in R.4(1).</i></p> <p><i>Also refer to R.20(3) regarding the use of wire and lead lines in Lake Taupo, and R.21(2).</i></p>
2	<p>Those portions of Lake Taupo and rivers or streams contained within the arcs of circles having a radius of 300 m from the centre of the mouth or mouths of all rivers and streams entering or leaving Lake Taupo except the mouths of the Tokaanu Tailrace, Waikino, Otupoto, Waipahihi, Waitotara, Tokaanu, Rotomoho, Te Awaroa, Otauanga, Tutaewaeroa, Kotukutuku, Tutaewaau, Otutira, Omoho, Te Mapu, and Okaia Streams and the Rotongaio outlet:</p>	Natural fly or artificial fly	<p><i>These named stream mouths have no trolling or jugging restriction around them.</i></p>
3	<p>Within a radius of 300 m from Te Rae Point located approximately 780 m south of the mouth of the Kuratau River and marked by a landmark.</p>	Natural fly or artificial fly	<p><i>Spinning is permitted in the Tongariro River above Beggs falls, lakes Otamangakau and Kuratau, the Hinemaiaia hydro lakes, the Tokaanu tailrace, the Waikato River below the outlet of Lake Taupo and from the lakeshore so long as you are 300 metres from any marked stream mouth or the Kuratau spit.</i></p>
4	<p>All waters not specified in paragraphs 1 to 3.</p>	Natural fly, artificial fly, or artificial lure	

SCHEDULE 2

r41

Species of Noxious Fish

<u>Scientific Name</u>	<u>Common Name</u>
<i>Clarias batrachus</i>	Walking catfish
<i>Cyprinus carpio</i>	European carp, Japanese koi
<i>Esox lucius</i>	Pike
<i>Pygocentrus</i> spp.	Piranha
<i>Roseveltella</i> spp.	Piranha
<i>Serrasalmus</i> spp.	Piranha
<i>Scardinius erythrophthalmus</i>	Rudd
<i>Tilapia</i> spp.	Tilapia
<i>Sarotherodon</i> spp.	Tilapia

SCHEDULE 3

r30(2)(a)

Angling Organisations

Advocates for the Tongariro River Inc
 Motuoapa Fishing and Boating Club
 New Zealand Professional Fishing Guides' Association
 Taupo Commercial Launchmen's Association
 Taupo Fishing Club
 Tongariro & Lake Taupo Anglers' Club
 Tongariro National Trout Centre Society
 Waitahanui Angling Improvement Association

The following is an explanatory note which does not form part of the regulations:

RIGHTS OF WAY

The Maori Land Amendment and Maori Land Claims Adjustment Act 1926 set aside a 20 metre wide public right-of-way around the shore of Lake Taupo. Apart from a few small areas that were in European freehold title at that time, and therefore have riparian rights, most of the lakeshore is covered by either this right-of-way or public reserve.

Further, the 1926 Act and Proclamation set aside a 20 metre wide right-of-way on foot for licensed anglers on both banks of the portions of the rivers specified below:

Waihora Stream - from mouth upstream 9.6 km
 Waihaha River - from mouth upstream 9.6 km
 Whanganui Stream - from mouth upstream 1.6 km
 Whareroa Stream - from mouth upstream 4.8 km
 Kuratau River - from mouth upstream 16 km
 Tongariro River - from mouth upstream to Whitikau Stream junction
 Poutu Stream - from Tongariro River junction upstream to SH1 bridge
 Waiotaka River - from mouth to downstream boundary of Tongariro Prison
 Waimarino River - from mouth to source
 Tauranga-Taupo River - from mouth upstream 4.8 km (approximately to The Parade)
 Waipahi Stream - from mouth to source
 Hinemaiaia River - from mouth upstream 4.8 km
 Waitahanui River and tributaries - from mouth to source

Note that fishing is presently prohibited in the Whareroa and Waipahi Streams.

NB In some cases portions of both lakeshore and riverbank rights of way have been reduced in width to ten metres (e.g. Waitahanui lakeshore just south of the river mouth) or three metres (e.g. Mangamutu Stream from approximately 100m above its mouth to the boundary of Kaingaroa Forest).

*This is the legal description of the Taupo Fishing District.
There is a map on page 20 of this booklet which also shows the
district boundaries and other fishing information.*

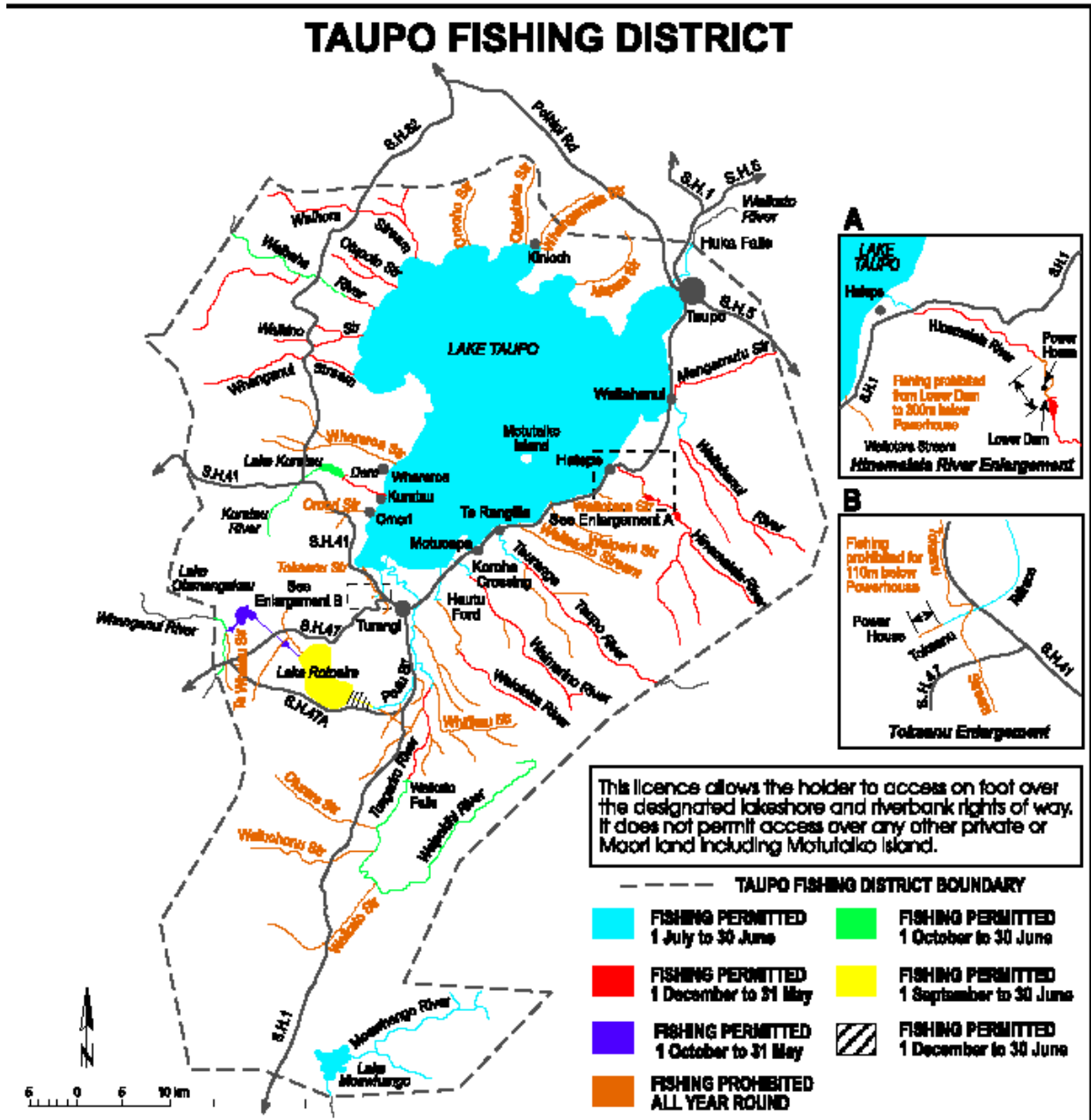
THE TAUPO DISTRICT ORDER 1983
ORDER IN COUNCIL

Pursuant to section 14 (8) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby defines the district described in the Schedule hereto, to be the Taupo District in which the provisions of that Act regulating fishing and other use of the waters shall apply.

SCHEDULE

Description of Taupo District

All that area in the South Auckland and Wellington Land Districts bounded by a line commencing at the source of the Ongarue River near Trig. Station 1390 Pureora, in Block III, Hurakia S.D., and proceeding southerly and easterly along a right line to and along the watershed between the Waihora and Huruhurumaku Streams to Trig. Station Marotiri, in Block XII, Marotiri S.D.; thence south-easterly along a right line to the northernmost corner of Part Section 1, Block II, Tuhingamata East S.D., as shown on S.O. Plan 21172; thence easterly along a right line to the Huka Falls on the Waikato River in Block XIV, Tatua S.D.; thence south-easterly along a right line to Trig. Station 42 Tauhara, in Block III Tauhara S.D.; thence south-easterly along a right line to Trig. Station 47 Wairango, in Block 1, Maruanui S.D.; thence along a right line to the northernmost corner of Kaimanawa IB in Block V, Maruanui S.D.; thence south-westerly along the north-western boundary of Kaimanawa IB to Trig. Station Ahipaepae in Block XIV, Waitahanui S.D., and along right lines to Trig. Station C Ngapuketuru, in Block VII, Waiotaka S.D., to Trig. Station A Karikaringa in Block I, Mangamaire S.D.; and to Trig. Station 28 Manukaiapu in Block XVI, Kaimanawa S.D. thence easterly along a right line to Trig. Station 27 Motumatai in Block XV, Mangamaire S.D.; thence generally westerly along a right line to Trig. Station 23 Kaimanawa (Three Kings) in Block V, Motupuha S.D., along a right line in the direction of Trig. Station Pouapoto in Block V, Moawhango S.D.; to the middle of the Moawhango River along a right line to Trig. Station D Makahikatoa in Block I, Moawhango S.D., and along a right line due west to a right line between Trig. Station Tunutara in Block XII, Karioi S.D., and Trig. Station N Ruapehu in Block XI, Ruapehu S.D.; thence north-westerly along the right line, aforesaid, to Trig. Station N Ruapehu and along right lines to Trig. Station H Paretetaitonga in Block XI, Ruapehu S.D., Ngauruhoe, Tongariro to the summit of the last mountain thence in a north-westerly direction to Trig. Station 2465 Papakai thence in a northerly direction to Trig. Station Mangakatote 2827, thence in a westerly direction to Trig. Station 1545 Maungaku, in Block X, Maungaku S.D.; thence northerly along the summit of the Hauhungaroa Range passing through Trig. Stations 1711 Hauhungaroa, in Block XIV Puketapu S.D., Motere, in Block V, Puketapu S.D., 2019 Tuhingamata in Block II, Puketapu S.D., and 2016 Werarua, in Block XI, Hurakia S.D., thence northerly along a right line to the point of commencement.



LURE AND BOAT FISHING PROVISIONS

This table is not part of the regulations. To use the table look up the water of interest in the left column. The s in the adjacent columns show what lures and boat fishing provisions are allowed, and the minimum size limit for each area.

NOTE: This table excludes all waters where fishing is prohibited at all times (see map on page 20).

Fishing Water	Fly Only	All Legal Lures	No Boat Fishing	Anchored Boat Only	No Boat Restriction	Minimum size limit	Bag Limit
Lake Taupo - more than 300 metres from stream mouths		✓			✓	40cm	3
Lake Taupo - less than 300 metres from unmarked stream mouths		✓			✓	40cm	3
Lake Taupo - less than 300 metres from Tongariro and Tauranga-Taupo river mouths	✓			✓		40cm	3
Lake Taupo - less than 300 metres from all marked stream mouths	✓		✓			40cm	3
Lake Taupo - less than 300 metres from Te Rae Point (Kuratau Spit)	✓			✓		40cm	3
Waikato River – Outlet to control gates bridge		✓	✓			40 cm	3
Waikato River – Control gates bridge to Huka Falls		✓		✓		35cm	3
Tokaanu Tailrace		✓		✓		40cm	3
Tongariro River - Downstream of Downs Pool	✓			✓		40cm	3
Tongariro River - Downs Pool to Poutu Intake	✓		✓			40cm	3
Tongariro River - Poutu Intake to Rangipo Dam		✓	✓			40cm	3
Waipakihi River – above Rangipo dam		✓	✓			None	None
Hinemaiaia River - From the mouth to lower (HB) dam	✓		✓			40cm	3
Hinemaiaia River - Above the HB dam		✓			✓	40cm	3
Kuratau River – From the mouth to the dam	✓			✓		40cm	3
Kuratau River & lake - Upstream of the dam		✓			✓	30cm	None
All other rivers	✓			✓		40cm	3
Lake Moawhango		✓			✓	None	None
Lake Otamangakau		✓			✓	40cm	3
Te Whaiiau Canal - Upstream of the landmark post		✓	✓			40cm	3
Wairehu Canal - Downstream of the landmark post		✓	✓			40cm	3

