

## **Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2003**

Pursuant to section 297 of the Fisheries Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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### **1      Title**

(1) These regulations are the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2003.

(2) In these regulations, the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986<sup>1</sup> are called “the principal regulations”.

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<sup>1</sup> SR 1986/216

## **2 Commencement**

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

## **3 Set netting prohibited in defined areas**

Regulation 15A(1) of the principal regulations is amended by revoking subparagraph (iii), and substituting the following subparagraphs:

- “(iii) *Maunganui Bluff-Tirua Point*: The waters lying within 4 nautical miles from the mean high-water mark that extends from Maunganui Bluff (at approximately 35°45.70’S and 173°33.6’E); then in a generally southerly direction by the mean high-water mark to the southernmost extremity of the north head of Kaipara Harbour (at approximately 36°24.2’S and 174°03’E); then by a straight line to Pukitu on the south head of Kaipara Harbour (at approximately 36°30’S and 174°12.65’E); then by the mean high-water mark to a point on the easternmost extremity of Paratutae Island (at approximately 37°02.92’S and 174°30.50’E); then by a straight line to the signal staff on the south head of Manukau Harbour (at approximately 37°03.17’S and 174°32.65’E); then by the mean high-water mark to a point north of the Waikato River mouth (at 37°21.45’S and 174°41.51’E); then by a straight line to the south head of the Waikato River mouth (at 37°21.85’S and 174°41.70’E); then by the mean high-water mark to Rangitoto Point (at approximately 37°48.08’S and 174°50.56’E); then by a straight line to the south head of Raglan Harbour (at approximately 37°48.33’S and 174°50.74’E); then by the mean high-water mark to Potahi Point (at approximately 38°00.50’S and 174°47.70’E); then by a straight line to Kahua Point (at approximately 38°02.10’S and 174°47.00’E); then by the mean high-water mark to Tauratahi Point (at approximately 38°05.10’S and 174°46.60’E); then by a straight line to Urawitiki Point (at approximately 38°05.37’S and 174°46.22’E); then by the mean high-water mark to Tirua Point (at approximately 38°23.40’S and 174°38.00’E);
- “(iv) *Manukau Harbour entrance to Kauri Point*: The waters lying within that part of the Manukau Harbour commencing at the mean high-water mark of the eastern extremity of Paratutae

Island (at approximately 37°02.92'S and 174°30.50'E); then proceeding to a point on the mean high water mark at South Head that intersects with a transect line from Paratutae Island to the Signal Station on South Head (at approximately 37°03.17'S and 174°32.65'E); then proceeding along the mean high-water mark of Awhitu Peninsula in an easterly direction to Kauri Point (at approximately 37°02.65'S and 174°39.42'E); then proceeding by a straight line due north for a half nautical mile to a point in the main harbour channel; then proceeding by a straight line in a north-westerly direction to Puponga Point (at approximately 37°01.28'S and 174°36.74'E); then proceeding along the mean high-water mark of the northern Manukau Harbour to the point of commencement.”

**4      Restrictions on the taking of shellfish**

Regulation 22A(1) of the principal regulations is amended by omitting from the table the item relating to kina.

**5      New regulation 22C inserted**

The principal regulations are amended by inserting, after regulation 22B, the following regulation:

**“22C      Restriction on taking kina other than by hand-gathering**

No commercial fisher may take any kina from the waters of SUR1A, SUR1B, or SUR9, for the purpose of sale, by any means other than hand-gathering.”

**6      Offences**

Regulation 24(1) of the principal regulations is amended by omitting the expression “or 22A”, and substituting the expression “22A, or 22C”.

**7      Revocation**

The Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 4) 2001 (SR 2001/276) are revoked.

Marie Shroff

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, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986.

The amendments—

- re-insert the prohibition on set netting in the waters from Maunganui Bluff to Tirua Point;
- prohibit set netting in the waters of the Manukau Harbour entrance to Kauri Point;
- remove the maximum daily weight restriction on taking kina by hand-gathering.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 4 September 2003.

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