



**THE FISHERIES (AUCKLAND AND KERMADEC AREAS
AMATEUR FISHING) REGULATIONS 1986, AMENDMENT NO. 3**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 13th day of September 1993

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to section 89 of the Fisheries Act 1983, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986, Amendment No. 3, and shall be read together with and deemed part

of the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 30th day of September 1993.

2. Interpretation—Regulation 3 of the principal regulations is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

“‘Auckland and Kermadec Fishery Management Areas’ means the areas comprising the Auckland Fishery Management Area and the Kermadec Fishery Management Area:

“‘Blue cod’ means a fish of the species *Parapercis colias*:

“‘Blue moki’ means a fish of the species *Latridopsis ciliaris*:

“‘Butterfish’ means a fish of the species *Odax pullus* or *Odax cyanoallix*:

“‘Elephant fish’ means a fish of the species *Callorhynchus milii*:

“‘Hapuku/bass’ means a fish of the species *Polyprion oxygeneios* or *Polyprion moene*:

“‘John dory’ means a fish of the species *Zeus faber*:

“‘Kahawai’ means a fish of the species *Arripis trutta*:

“‘Red cod’ means a fish of the species *Pseudophycis bacchus*:

“‘Red gurnard’ means a fish of the species *Chelidonichthys kumu*:

“‘Red moki’ means a fish of the species *Cheilodactylus spectabilis*:

“‘Rig’ means a fish of the species *Mustelus lenticulatus*:

“‘School shark’ means a fish of the species *Galeorhinus australis*:

“‘Snapper’ means a fish of the species *Chrysophrys auratus*:”.

3. New regulations inserted—The principal regulations are hereby amended by inserting, after regulation 3, the following regulations:

“3A. **Maximum daily number of fish**—(1) No person shall, on any day, take from within the Auckland and Kermadec Fishery Management Areas more than 20 fish of any one or more of the following species:

“Blue cod

“Blue moki

“Bluenose

“Butterfish

“Elephant fish

“Flatfish

“John dory

“Kahawai

“Red cod

“Red gurnard

“Red moki

“Rig

“School shark

“Tarakihi

“Trevally

“(2) No person shall, on any day, possess any fish taken from within the Auckland and Kermadec Fishery Management Areas in contravention of subclause (1) of this regulation.

“(3) No person shall, on any day, take from the Auckland and Kermadec Fishery Management Areas more than 30 grey mullet or 20 snapper or possess more than 30 grey mullet or 20 snapper taken from within those areas.

“(4) No person shall, on any day, take from the Auckland and Kermadec Fishery Management Areas a total quantity of hapuku/bass and kingfish exceeding or possess a total quantity of hapuku/bass and kingfish taken from within those areas exceeding 5.

*S.R. 1986/222

Amendment No. 1: S.R. 1992/209

Amendment No. 2: S.R. 1992/309

“(5) No person shall, on any day, take from the Auckland and Kermadec Fishery Management Areas more than 3 kingfish or possess more than 3 kingfish taken from within those areas.

“3B. **Minimum net mesh sizes**—Notwithstanding regulation 6 of the Fisheries (Amateur Fishing) Regulations 1986, the mesh size of any set net used or possessed by any person in the Auckland and Kermadec Fishery Management Areas shall not be less than the appropriate size specified in the following table:

<i>Species of Fish</i>					<i>Minimum Set Net Mesh Size (mm)</i>
Blue moki	..	..	..		114
Bluenose	..	..	..		160
Flatfish	..	..	..		114
Hapuku/bass	..	..	..		160
Kahawai	..	..	..		90
Grey mullet	..	..	..		90
Parore	..	..	..		114
Rig	..	..	..		125
School shark	..	..	..		125
Snapper	..	..	..		125
Trevally	..	..	..		125”

4. New regulations inserted—The principal regulations are hereby amended by inserting, after regulation 6A, the following regulations:

“6B. **Restrictions on fishing in the Bay of Islands**—(1) No person shall use any net in the following waters:

“(a) *Ninepin*: The waters lying inside a line, every point of which is 1 nautical mile from the mean high water mark of Ninepin (at 35° 9.25'S and 174° 8.75'E);

“(b) *Cape Brett*: The waters lying inside a line, every point of which is 1 nautical mile from the northernmost point of Cape Brett (at 35° 10.45'S and 174° 20.05'E);

“(c) *Bird Rock*: The waters lying inside a line, every point of which is 1 nautical mile from the mean high water mark of Bird Rock (at 35° 9.92'S and 174° 18.35'E).

“(2) Except as provided in subclause (3) of this regulation, no person shall use or possess a set net in the prescribed area at any time between the 1st day of October in any year and the 30th day of April in the following year (both days inclusive).

“(3) Nothing in subclause (2) of this regulation shall apply to nets used for the targeting of grey mullet or flatfish.

“(4) No person shall use or possess a set line in the prescribed area at any time between the 1st day of October in any year and the 30th day of April in the following year (both days inclusive).

“(5) For the purpose of this regulation, the expression ‘prescribed area’ means all the waters of the Bay of Islands inside a line drawn from Tapeka Point (at 35° 14.63'S and 174° 07.18'E); then to the north-western extremity of Motuarahia (Robertson) Island (35° 13.82'S and 174° 09.33'E); then to the north-western extremity of the outermost unnamed islet (35° 13.13'S and 174° 10.72'E) immediately to the north-west of Moturua Island; then to the north-western extremity of Okahu

Island (Red Head) ($35^{\circ} 11.95'S$ and $174^{\circ} 12.38'E$); then by mean high water mark along the northern side of Okahu Island to the eastern extremity of Okahu Island ($35^{\circ} 11.98'S$ and $174^{\circ} 12.85'E$); then by straight line to the northern extremity of Kohangaatara Point ($35^{\circ} 13.15'S$ and $174^{\circ} 15.83'E$) on the eastern side of the Albert Channel.

“6c. Set netting prohibited in defined areas—No person shall use any set net within the following waters:

“(a) *Three Kings Islands*: The waters lying inside a line every point of which is 1 nautical mile from the mean high water mark on all the islands, islets, and rocks of the Three Kings Islands group:

“(b) *Bay of Islands*:

“(i) *Cape Waiwiti*: The waters lying within a radius of 1 nautical mile from the easternmost extremity of Cape Waiwiti (at $35^{\circ} 09.42'S$ and $174^{\circ} 07.70'E$);

“(ii) *Whale Rock*: The waters lying inside a line every point of which is 1 nautical mile from a position at $30^{\circ} 11.51'S$ and $174^{\circ} 12.0'E$ on Whale Rock:

“(iii) *Twins Rock*: The waters lying inside a line every point of which is 1 nautical mile from the mean high water mark on the Twins Rock:

“(c) *Hen and Chicken Islands*:

“(i) *Taranga (Hen) Island*: The waters on the northern side of Taranga Island (otherwise known as Hen Island) lying inside a line commencing at the northernmost extremity of Taranga Island (at $35^{\circ} 57.28'S$ and $174^{\circ} 41.89'E$); then in a due north direction for a distance of 0.5 nautical mile to the point at $35^{\circ} 56.78'S$ and $174^{\circ} 41.89'E$; then in a generally easterly direction by a line every point of which is 0.5 nautical mile from the mean high water mark to the point at $35^{\circ} 57.68'S$ and $174^{\circ} 44.75'E$; then by a straight line due south to the easternmost extremity of Taranga Island (at $35^{\circ} 58.18'S$ and $174^{\circ} 44.75'E$);

“(ii) *Marotere (Chickens) Islands*: The waters on the northern side of the Marotere Islands (otherwise known as the Chickens Islands) lying inside a line commencing at the northernmost extremity of Lady Alice Island (at $35^{\circ} 53.29'S$ and $174^{\circ} 43.10'E$); then in a due north direction for a distance of 0.5 nautical mile to the point at $35^{\circ} 52.79'S$ and $174^{\circ} 43.10'E$; then proceeding in a generally easterly direction by a line every point of which is 0.5 nautical mile from a baseline which commences at the northernmost extremity of Lady Alice Island (at $35^{\circ} 53.29'S$ and $174^{\circ} 43.10'E$); then by the mean high water mark to the easternmost extremity of Lady Alice Island (at $35^{\circ} 53.57'S$ and $174^{\circ} 44.32'E$); then in a straight line in an easterly direction to the westernmost extremity of Whatupuke Island (at $35^{\circ} 53.61'S$ and $174^{\circ} 44.71'E$); then by the mean high water mark to the easternmost extremity of Whatupuke Island (at $35^{\circ} 53.47'S$ and $174^{\circ} 45.70'E$); then in a straight line in an easterly direction to the westernmost extremity of Coppermine Island (at $35^{\circ} 53.50'S$ and $174^{\circ} 45.82'E$); then by the mean high water mark to the termination of the baseline at the easternmost extremity of Coppermine Island (at $35^{\circ} 53.31'S$ and $174^{\circ} 46.99'E$) to the point at $35^{\circ} 52.81'S$ and $174^{\circ} 46.99'E$; then by

a straight line due south to the easternmost extremity of Coppermine Island (at 35° 53.31'S and 174° 46.99'E):

- “(d) *Mokohinau Islands*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on all the islands, islets, and rocks of the Mokohinau Islands group:
- “(e) *Simpson Rock*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on Simpson Rock, being the islet (rock) located approximately 4 nautical miles south of the Mokohinau Islands:
- “(f) *Little Barrier Island*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on Little Barrier Island:
- “(g) *Great Barrier Island*:

“(i) *Miners Head—Needles Point*: The waters at the northern end of Great Barrier Island lying inside a line commencing at the northernmost extremity of Miners Head (at 36° 03.98'S and 175° 20.80'E); then in a due north direction for a distance of 0.5 nautical miles to the point at 36° 03.48'S and 175° 20.80'E; then proceeding in a generally north-easterly direction by a line every point of which is one-half nautical mile from a baseline which commences at the northernmost extremity of Miners Head (at 36° 03.98'S and 175° 20.80'E); then by the mean high water mark to the northernmost extremity of Great Barrier Island (at 36° 03.12'S and 175° 23.88'E); then in a straight line in a north-easterly direction to the southernmost extremity of the unnamed island (at 36° 03.12'S and 175° 24.00'E); then by the mean high water mark to the northernmost extremity of the unnamed island (at 36° 02.56'S and 175° 24.11'E); then in a straight line in a northerly direction to the southernmost extremity of Aiguilles Island (at 36° 02.51'S and 175° 24.24'E); then by the mean high water mark to the northernmost extremity of Aiguilles Island (at 36° 01.91'S and 175° 24.50'E); then in a straight line in a northerly direction to the southernmost extremity of Needles Point (at 36° 01.70'S and 175° 24.40'E); then by the mean high water mark to the termination of the baseline at the northernmost extremity of Needles Point (at 36° 01.63'S and 175° 24.40'E) to the point at 36° 01.13'S and 175° 24.40'E; then by a straight line due south to the northernmost extremity of Needles Point (at 36° 01.63'S and 175° 24.40'E):

“(ii) *Rakitu (Arid) Island*: The waters on the eastern side of Rakitu Island (otherwise known as Arid Island) lying inside a line commencing at the northernmost extremity of Hautapu Point (at 36° 07.06'S and 175° 29.76'E); then in a due north direction for a distance of 0.5 nautical miles to the point at 36° 06.56'S and 175° 29.76'E; then by a line every point of which is 0.5 nautical miles from the mean high water mark on the eastern side of Rakitu Island to the point at 36° 08.89'S and 175° 29.49'E; then by a straight line due north to the southernmost extremity of Te Akau Point (at 36° 08.39'S and 175° 29.49'E):

“(iii) *Cape Barrier*: The waters at the southern end of Great Barrier Island lying inside a line commencing at the

westernmost extremity of the south head of Tryphena Harbour (at $36^{\circ} 19.48'S$ and $175^{\circ} 28.44'E$); then in a due south direction for a distance of 0.5 nautical miles to the point at $36^{\circ} 20.98'S$ and $175^{\circ} 28.44'E$; then in a generally easterly direction by a line every point of which is one-half nautical mile from the mean high water mark to the point at $36^{\circ} 20.37'S$ and $175^{\circ} 32.75'E$; then by a straight line due west to the south-easternmost extremity of Cape Barrier (at $36^{\circ} 20.37'S$ and $175^{\circ} 32.25'E$);

“(h) *Channel Island*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on Channel Island, being the island located approximately 3 nautical miles north of Cape Colville:

“(i) *Cape Colville*: The waters at the northern end of Cape Colville lying inside a line commencing at the northernmost extremity of Kaiiti Point (at $36^{\circ} 28.92'S$ and $175^{\circ} 19.80'E$); then in a straight line in a northerly direction to the southernmost extremity of Channel Island (at $36^{\circ} 25.44'S$ and $175^{\circ} 19.75'E$); then in a straight line in a south-easterly direction to the northernmost extremity on Square Top Island (at $36^{\circ} 27.76'S$ and $175^{\circ} 24.00'E$); then by the mean high water mark to the easternmost extremity of Square Top Island (at $36^{\circ} 27.79'S$ and $175^{\circ} 24.14'E$); then in a straight line in a south-easterly direction to the point of intersection with the shore to the south-west of Sugar Loaf Rocks (at $36^{\circ} 28.36'S$ and $175^{\circ} 24.69'E$);

“(j) *Mercury Islands*:

“(i) *Great Mercury Island*: The waters on the eastern and southern sides of Great Mercury Island lying inside a line commencing at the northernmost extremity of Arimawhai Point (at $36^{\circ} 34.81'S$ and $175^{\circ} 47.23'E$); then in a north-east direction for a distance of one-half nautical mile to the point at $36^{\circ} 34.45'S$ and $175^{\circ} 47.66'E$; then by a line every point of which is one-half nautical mile from the mean high water mark on the eastern and southern sides of Great Mercury Island to the point at $36^{\circ} 38.86'S$ and $175^{\circ} 46.58'E$; then by a straight line due north to the southernmost extremity of Ahikopua Point (at $36^{\circ} 38.36'S$ and $175^{\circ} 46.58'E$);

“(ii) *Korapuki Island*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on Korapuki Island:

“(iii) *Green Island*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on Green Island:

“(iv) *Middle Island*: The waters on the eastern side of Middle Island lying inside a line commencing at the northernmost extremity of Middle Island (at $36^{\circ} 38.19'S$ and $175^{\circ} 51.57'E$); then in a north-east direction for a distance of 0.25 nautical mile to the point at $36^{\circ} 38.00'S$ and $175^{\circ} 51.80'E$; then by a line every point of which is 0.25 nautical mile from the mean high water mark on the eastern side of Middle Island to the point at $36^{\circ} 38.78'S$ and $175^{\circ} 51.66'E$; then by a straight line due north to the easternmost extremity of Middle Island (at $36^{\circ} 38.52'S$ and $175^{\circ} 51.66'E$); then in a due south direction for a distance of one-half nautical mile to the point at $36^{\circ} 39.06'S$ and 175°

51.66'E; then by a line every point of which is one-half nautical mile from the mean high water mark on the western side of Middle Island to the point at 36° 37.82'S and 175° 52.03'E; then by a straight line in a south-west direction to the northernmost extremity of Middle Island (at 36° 38.19'S and 175° 51.57'E):

“(v) *Stanley Island*: The waters lying inside a line commencing at the westernmost extremity of Stanley Island (at 36° 38.22'S and 175° 52.79'E); then in a north-west direction for a distance of one-half nautical mile to the point at 36° 37.85'S and 175° 52.34'E; then by a line every point of which is one-half nautical mile from the mean high water mark on the northern and eastern sides of Stanley Island to the point at 36° 39.54'S and 175° 53.35'E; then by a straight line due north to the southernmost extremity of Stanley Island (at 36° 39.04'S and 175° 53.35'E); then in a due south direction for a distance of one-quarter nautical mile to the point at 36° 39.29'S and 175° 53.35'E; then by a line every point of which is one-quarter nautical mile from the mean high water mark on the south-western side of Stanley Island to the point at 36° 38.05'S and 175° 52.55'E; then by a straight line in a south-east direction to the westernmost extremity of Stanley Island (at 36° 38.22'S and 175° 52.79'E):

“(vi) *Red Mercury Island*: The waters on the eastern side of Red Mercury Island lying inside a line commencing at the northernmost extremity of Red Mercury Island (at 36° 37.06'S and 175° 56.16'E); then in a north-east direction for a distance of one-half nautical mile to the point at 36° 36.72'S and 175° 56.60'E; then in a generally easterly direction by a line every point of which is one-half nautical mile from the mean high water mark to the point at 36° 38.37'S and 175° 56.83'E; then by a straight line due north to the south-easternmost extremity of Red Mercury Island (at 36° 37.87'S and 175° 56.83'E);

“(k) *Tamaki River and Panmure Basin*: The waters of the Tamaki River and Panmure Basin lying inside a straight line from the easternmost extremity of Sandy Point (at 36° 52.41'S and 174° 53.44'E) in a straight line in a south-easterly direction to the point of intersection with the shore to the north of the Half Moon Bay marina at (36° 52.76'S and 174° 54.09'E):

“(l) *Northwest coast*:

“(i) *Cape Reinga—Scott Point*: The waters lying within 1 nautical mile from the mean high water mark of the shore that extends from the northernmost extremity of Cape Reinga (at 34° 25.40'S and 172° 40.70'E) to the southernmost extremity of Scott Point (at 34° 31.90'S and 172° 43.20'E):

“(ii) *Tauroa Point (Reef Point)—Whangape Harbour*: The waters lying within one-half nautical mile from the mean high water mark of the shore that extends from the easternmost extremity of Tauroa Point (otherwise known as Reef Point) (at 35° 10.15'S and 173° 05.20'E) to the north head of Herekino Harbour (at 35° 17.70'S and 173° 09.90'E); then by a straight line in a southerly direction to the south head of Herekino Harbour (at 35° 17.95'S and 173° 09.80'E); then by the mean high water

mark to the north head of Whangape Harbour (at 35° 22.70'S and 173° 13.10'E):

“(iii) *Muriwai Beach—Karekare Beach*: The waters lying within one-quarter nautical mile from the mean high water mark of the shore that extends from the southernmost extremity of Muriwai Beach (at 36° 50.40'S and 174° 25.75'E) to the westernmost extremity of Karekau Point (at 36° 59.68'S and 174° 28.41'E) being the point at the southern end of Karekare Beach.”

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 30 September 1993, amend the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986.

The principal changes are as follows:

- (a) New maximum daily numbers of fish are imposed (*regulation 3*);
- (b) Minimum set net mesh sizes are specified for certain species (*regulation 3*);
- (c) Restrictions on fishing are imposed in respect of the Bay of Islands (*regulation 4*);
- (d) Set netting is prohibited in defined areas (*regulation 4*).

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

Date of notification in *Gazette*: 16 September 1993.

These regulations are administered in the Ministry of Agriculture and Fisheries.