



THE FISHERIES (NELSON COMMERCIAL FISHING RESTRICTIONS) NOTICE 1983

PURSUANT to section 89 of the Fisheries Act 1983 and the Fisheries (Commercial Fishing) Regulations 1983, the Director-General of Agriculture and Fisheries hereby gives the following notice.

ANALYSIS

- | | |
|---|------------------------------|
| 1. Title and commencement | 7. Fishing gear restrictions |
| 2. Interpretation | 8. Taking rig |
| 3. Drag net restriction | 9. Taking snapper |
| 4. Trawling prohibited | 10. Taking scallops |
| 5. Trawling in Pelorus Sound | 11. Taking mussels |
| 6. Pair trawling prohibited in Tasman Bay | 12. Taking oysters |

NOTICE

1. Title and commencement—(1) This notice may be cited as the Fisheries (Nelson Commercial Fishing Restrictions) Notice 1983.

(2) This notice shall come into force on the 1st day of January 1984.

2. Interpretation—(1) In this notice, unless the context otherwise requires,—

“Cod-end” means that end part of the net which is normally closed during fishing and is capable of holding fish while in the water, being for vessels—

- (a) Up to 10 m overall length, not less than the last 3 m:
- (b) Ten to 20 m overall length, not less than the last 5 m:
- (c) Twenty to 30 m overall length, not less than the last 10 m:
- (d) Thirty to 40 m overall length, not less than the last 15 m:
- (e) Over 40 m overall length, not less than the last 20 m—

shall be deemed to be the cod-end:

“Danish seine net” means a net which has a wing on each side of a cod-end with a rope or fibrous warp attached to each wing and which is operated by being drawn over the bed of any waters or through any waters, the net being hauled to the vessel or to more than one vessel by a winch or other mechanical device, or by hand:

“Danish seining” means the use of a Danish seine net:

“Day” means a period of 24 hours computed from midnight to midnight:

“Drag net” or “beach seine net” means any net or part thereof that is operated by being drawn over the bed of any waters or through any waters; but does not include a trawl net, purse seine net, Danish seine net, or lampara net:

“Dredge” means a device towed on or over the seabed capable of catching shellfish; and includes a box dredge or ring dredge:

“Hand-gathering” includes shore picking, diving, hand digging for shellfish, and hand cutting of seaweed:

“Mussel” means the green mussel (*Perna canaliculus*), the blue mussel (*Mytilus edulis aoteanus*), and the horse mussel (*Atrina zelandica*):

“Net” includes any net capable of being used to take fish; but does not include whitebait net:

“Otter board” means any device, including a paravane, used or capable of being used to keep a net or a trawl net open:

“Overall length” means the length of a vessel measured by a straight middle line from the extreme forward end to the extreme aft end of the hull of the vessel:

“Scallop” means the mollusc *Pecten novaezelandiae*:

“Snapper” means the fish of which the scientific name is *Chrysophrys auratus*:

“Surrounding net” includes a drum seine net, purse seine net, lampara net, and all modes of fishing whereby fish are encircled:

“Rig” means the fish of which the scientific name is *Mustelus lenticulatus*:

“Trawl net” means any net, or part thereof (not including a Danish seine net) that is used by being drawn over the bed of any water or through any waters by one or more vessels or mechanical devices.

(2) Words and expressions in this notice which are defined in the Fisheries Act 1983 shall, unless the context otherwise requires, have the meanings so defined.

3. Drag net restriction—The combined warp length of a drag net shall not exceed 200 m.

4. Trawling prohibited—(1) **Golden Bay**: No person shall use a trawl net at any time during the period 1 November in each year to 30 April in the year following in Golden Bay inside a line from Pakawau Bridge (at 40° 35.4' S and 172° 41.1' E) to the southernmost point of the southernmost island of the Tata Islands (at 40° 48.4' S and 172° 54.6' E) thence in a straight line to the boat ramp at Tata Beach (at 40° 48.7' S and 172° 54.8' E).

(2) **Marlborough Sounds**: No person shall use a trawl net at any time in those waters of Pelorus Sound and Queen Charlotte Sound inside straight lines drawn from Harding Point (at 40° 54.5' S and 174° 0.9' E) to Cape Jackson (at 40° 59.8' S and 174° 18.9' E), thence to Cape Koamaru (at 41° 5.5' S and 174° 23' E); and from East Head (at 41° 12.8' S and 174° 19.4' E) to West Head of Tory Channel (at 41° 12.9' S and 174° 18.9' E), but not inside a line from Tawero Point (at 41° 3.8' S and 173° 57.0' E) to Whakamawahi Point (at 41° 3.5' S and 173° 58.3' E).

5. Trawling in Pelorus Sound—Notwithstanding the provisions of clause 3 (2) of this notice, trawling is permitted in those waters lying inside a line from Tawero Point (at 41° 3.8' S and 173° 57.0' E) to Whakamawahi Point (at 41° 3.5' S and 173° 58.3' E) during the period 1 April to 31 August, subject to the following restrictions:

(a) The mesh size in any part of the trawl net shall not be less than 108 mm:

(b) Single boat trawling only is permitted:

- (c) The headline of the net is not to exceed 9 m in length:
- (d) The combined total length of extension and bridles between the wing of the net and the otter board is not to exceed 7.5 m.

6. Pair trawling prohibited in Tasman Bay—No person shall use a pair trawl net with a cod-end mesh size of less than 125 mm within those waters of Tasman Bay lying inside a line drawn from the northwesternmost point of Pepin Island (at 41° 8.5' S and 173° 24.8' E) and to the easternmost extremity of Adele Island (at 40° 58.7' S and 173° 4.2' E), thence by mean high-water mark in a westerly direction to the northernmost point of Adele Island (at 40° 58.5' S and 173° 3.5' E), thence to the nearest part of the mainland (at 40° 58.5' S and 173° 2.9' E) from the first day of October in each year to the last day of February in the following year.

7. Fishing gear restrictions—(1) **Double Cove, Queen Charlotte Sound:** No person shall use any fishing gear in that area of Queen Charlotte Sound inside a line from Nohokouau Point (at 41° 14.4' S and 174° 0.5' E) to the southernmost point of the peninsula (at 41° 14.5' S and 174° 1.4' E) lying between Double Cove and Torea Bay.

(2) **Separation Point Fisheries Area:** No person shall use a trawl net, a Danish seine net or a dredge in those waters of Golden Bay and Tasman Bay enclosed by a line commencing from a point at 40° 49.0' S and 173° 01.0' E and then proceeding on a true compass bearing of 076° to a point at 40° 47.7' S and 173° 07.7' E and then proceeding on an arc at a radius of 6 nautical miles from Separation Point Light (at 40° 47' S and 172° 59.9' E) to a point at 40° 41' S and 172° 59.5' E and then proceeding on a true compass bearing of 195° to a point at 40° 47.4' S and 172° 57.3' E and then proceeding along the line of mean low-water mark to the point of commencement.

8. Taking rig—No person may take rig with any net which has a mesh size of less than 150 mm or be in possession of or land rig while in possession of a net which has less than 150 mm mesh, from those waters of Tasman Bay and Golden Bay lying inside a straight line drawn from the easternmost point of Farewell Spit (at 40° 33.5' S and 173° 2' E) to Cape Stephens (at 40° 41.6' S and 173° 57' E), and inside a straight line drawn from Sauvage Point (at 40° 56.7' S and 173° 46.3' E) to Okuri Point (at 40° 58.7' S and 173° 45.7' E).

9. Taking snapper—(1) **Tasman Bay and Golden Bay:** When more than 400 tonnes of snapper have been taken from that area of Tasman Bay and Golden Bay inside a line from the easternmost point of Farewell Spit (at 40° 33.5' S and 173° 2' E) to Cape Stephens (at 40° 41.6' S and 173° 57' E) and inside a straight line drawn from Sauvage Point (at 40° 56.7' S and 173° 46.3' E) to Okuri Point (at 40° 58.7' S and 173° 45.7' E), at any time during the period from the first day of October in each year to the last day of February in the year following, the use of a pair trawl net or a Danish seine net is prohibited, and the taking of snapper by surrounding nets is prohibited in those waters of Tasman Bay lying inside a straight line drawn from the northwesternmost point of Pepin Island (at 41° 8.5' S and 173° 24.8' E) to the easternmost point of Adele Island (at 40° 58.7' S

and 173° 4.2' E) thence by mean high-water mark in a westerly direction to the northernmost point of Adele Island (at 40° 58.5' S and 173° 3.5' E) to the nearest part of the mainland (at 40° 58.5' S and 173° 2.9' E).

(2) **Marlborough Sounds:** No person shall take or have in possession snapper caught with a drag net from the following areas:

- (a) **Pelorus Sound:** Those waters enclosed by a straight line from Opani-Aputa Point (at 41° 04.7' S and 173° 58.4' E) to Tawero Point (at 41° 03.8' S and 173° 57.2' E):
- (b) **Tennyson Inlet:** Those waters enclosed by a straight line drawn from Camel Point (at 41° 02.1' S and 173° 48.6' E) to Cregoe Point (at 41° 03.2' S and 173° 49.9' E):
- (c) **Queen Charlotte Sound:** Those waters enclosed by a straight line drawn from Cape Jackson (at 40° 59.8' S and 174° 18.9' E) to Cape Koamaru (at 41° 5.5' S and 174° 23' E):
- (d) **Tory Channel:** Those waters enclosed by a straight line drawn from East Head (at 41° 12.8' S and 174° 19.4' E) to West Head (at 41° 12.9' S and 174° 18.9' E):

10. Taking scallops—Inside those waters bounded by a line commencing at Kahurangi Point (at 40° 46.7' S and 172° 13.2' E) on the West Coast of the South Island and proceeding westerly along the 40° 47' south parallel of latitude to its intersection with the 171° 50' east meridian of longitude, thence northerly along that meridian of longitude, to its intersection with the 40° 15' S parallel of latitude, thence easterly along that parallel of latitude to its intersection with the 174° 30' east meridian of longitude, thence southerly along that meridian of longitude to its intersection with the 41° 44' south parallel of latitude, thence westerly along that parallel of latitude to Cape Campbell (at 41° 43.8' S and 174° 16.6' E) on the East Coast of the South Island, thence generally northwesterly along the mean high-water mark of the sea to the point of commencement excluding therefrom all areas of land above the mean high water mark of the sea, the following conditions shall apply:

- (a) Registered fishing vessels may use no more than 2 dredges, the bar or bit of which must not exceed 2.5 m in length:
- (b) No person shall dredge for scallops between sunset and sunrise:
- (c) Scallop dredging is permitted only from the 1st day of September to the 30th day of October of any year:
- (d) The use of tines on scallop dredges is prohibited:
- (e) No person shall take scallops from those waters on the landward side of a line drawn from Foul Point (at 40° 54.4' S and 173° 3.8' E) to Adolphe Point (at 40° 57.8' S and 173° 4.2' E) to Jules Point (at 40° 58.7' S and 173° 4.1' E) on Adele Island; thence by mean high-water mark to the southeastern tip of Adele Island (at 40° 59.2' S and 173° 3.8' E) to the southeastern tip of Fishermens Island (at 40° 59.7' S and 173° 3.2' E) to Guilbert Point (at 40° 59.5' S and 173° 2.2' E).

11. Taking mussels—(1) No person shall take mussels from those waters of Queen Charlotte Sound inside a straight line drawn from Pihaka Point (at 41° 13.9' S and 174° 2.4' E) to Karaka Point (at 41° 15.3' S and 174° 3.9' E).

(2) No person shall take mussels by any fishing method other than hand gathering from those waters of Queen Charlotte Sound and Tory Channel

inside a line drawn from Cape Jackson (at 40° 59.8'S and 174° 18.9'E) to Cape Koamaru (at 41° 5.5'S and 174° 23.0'E) and from East Head (at 41° 12.8'S and 174° 19.4'E) to West Head (at 41° 12.9'S and 174° 18.9'E).

(3) No person shall take mussels at any time during the period from the first day of November in each year to the last day of February in the year following from those waters bounded by a line commencing at Kahurangi Point (at 40° 46.7'S and 172° 13.2'E) on the West Coast of the South Island and proceeding westerly along the 40° 47' south parallel of latitude to its intersection with the 171° 50' east meridian of longitude, thence northerly along that meridian of longitude to its intersection with the 40° 15'S parallel of latitude, thence easterly along that parallel of latitude to its intersection with the 174° 30' east meridian of longitude, thence southerly along that meridian of longitude to its intersection with the 41° 44' south parallel of latitude, thence westerly along that parallel of latitude to Cape Campbell (at 41° 43.8'S and 174° 16.6'E) on the East Coast of the South Island, thence generally north-westerly along the mean high-water mark of the sea to the point of commencement excluding therefrom all areas of land above the mean high-water mark of the sea.

12. Taking oysters—No person shall take oysters from those waters on the landward side of a line drawn from Foul Point (at 40° 54.4'S and 173° 3.8'E) to Adolphe Point (at 40° 57.8'S and 173° 4.2'E) to Jules Point (at 40° 58.7'S and 173° 4.1'E) on Adele Island; thence by mean high-water mark to the southeastern tip of Adele Island (at 40° 59.2'S and 173° 3.8'E) to the southeastern tip of Fishermens Island (at 40° 59.7'S and 173° 3.2'E) to Guilbert Point (at 40° 59.5'S and 173° 2.2'E).

Dated at Wellington this 21st day of December 1983.

M. J. BELGRAVE,
Assistant Director-General of Agriculture and Fisheries.

EXPLANATORY NOTE

This note is not part of the notice, but is intended to indicate its general effect.

This notice imposes certain restrictions on commercial fishing in the Nelson district.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 21 December 1983.
This notice is administered in the Ministry of Agriculture and Fisheries.