



THE FISHERIES (CHRISTCHURCH 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

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NOTICE

1. Title and commencement—(1) This notice may be cited as the Fisheries (Christchurch 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,—

“Chatham Islands rock lobster fishery” means the rock lobster fishery bounded by all that area of New Zealand fisheries waters enclosed by a line commencing at a point 40° 25' S and 178° W on the outer limits of the exclusive economic zone; then proceeding along the outer limits of the zone to a position 51° 50' S and 174° 35' E; then proceeding in a straight line to a position 50° 55' S and 173° 50' E; then proceeding along the outer limits of the zone to a position 48° 15' S and 174° E; then proceeding in a straight line to the point of commencement:

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

“Eel” means the shortfin eel (*Anguilla australis*) and the longfin eel (*Anguilla dieffenbachii*):

“Fyke net” means any trap net (set with or without leaders or wings), with the trap section having single or multiple throats and supported by hoops or rings with the leaders or the net being held in position by poles or anchoring devices or by both poles and anchoring devices:

“Herring” means the yellow-eyed mullet (*Aldrichetta forsteri*); but does not include the sardine or the species of mullet known as *Mugil cephalus* or kanae:

“Hinaki trap” means any trap capable of taking eels:

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

“Rock lobster” means the fish of which the scientific names are *Jasus edwardsii*, (commonly known as the spiny or red rock lobster), and *Jasus verreauxi* (commonly known as the packhorse or green rock lobster):

“Set net” includes a gill net, drift net, trammel net, or any other sort of net which acts by enmeshing or entangling any fish:

“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:

“Whitebait net” means any net, contrivance, instrument, or device used, or capable of being used, for taking whitebait.

(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. Netting requirements—(1) No person shall use any net, except a fyke net, for taking fish in the following areas:

(a) Waimakariri and Kaiapoi Rivers:

(i) The waters of the Kaiapoi River and its tributaries upstream from the Williams Street Bridge:

(ii) During the period commencing with the 1st day of February in any year and ending with the 30th day of April in the same year, in the waters of—

(A) The Kaiapoi River and its tributaries downstream from the Williams Street Bridge; and

(B) That part of the Waimakariri River lying northwards of a straight line drawn from the site of a white post on the north bank of the Waimakariri River 200 m downstream of the mouth of the Kaiapoi River to the site of a white post on the south bank of the Waimakariri River; and thence by straight line to the site of a white post on the north bank of the Waimakariri River 200 m upstream of the mouth of the Kaiapoi River (the post on the south bank being situated approximately mid-way between the two posts on the north bank):

(b) Lake Ellesmere and Lake Forsyth.

(2) No person shall in the waters of Lake Ellesmere, use for taking fish other than herring, any net with a mesh size of less than 100 mm.

Provided that in the case of a fyke net used under the authority of a fishing permit solely for the purpose of taking eels, the net may have mesh not less than 12 mm.

(3) As from the commencement of this notice until the 1st day of June 1985, no person shall use for taking fish in the waters of Lake Ellesmere—

(a) Any net with any mesh of a size between 70 mm and 100 mm:

(b) Any net more than 9 meshes deep, when the mesh is of a size exceeding 100 mm:

(c) Any net more than 25 meshes deep, when the mesh is of a size of not more than 70 mm:

Provided that nothing in paragraphs (a) or (b) of this subclause shall apply in the case of a fyke net used solely for the purpose of taking eels, if the size of the mesh of any such net is not less than 12 mm.

(4) No person fishing with a set net in the waters of Lake Ellesmere or Lake Forsyth shall leave the net in the water, without underrunning the net and taking any fish that have been caught, for an interval of time exceeding—

- (a) Between the 1st day of November in any year and the 30th day of April in the following year (both days inclusive), a period of 12 hours; or
- (b) Between the 1st day of May and the 31st day of October (both days inclusive) in any year, a period of 24 hours.

(5) No person shall—

- (a) Use any net for taking fish in any river or stream which flows into Lake Ellesmere:
- (b) Use any net for taking fish in the waters of Lake Ellesmere lying within an arc of a circle having a radius of 1.2 km around the centre of the mouth of—
 - (i) The Irwell River:
 - (ii) Harts Creek:
 - (iii) The Selwyn River:
 - (iv) The No. 2 Drain:
 - (v) The Halswell River—

the points where that circular arc meets the shore of the lake being indicated in each case by posts painted alternate black and yellow bands, such bands being approximately 30 cm in height, each such post being surmounted by a triangular plate, painted yellow.

- (c) For the purposes of this subclause, the mouth of any river or stream shall be deemed to be the place where the waters of the river or stream meet the waters of the lake and, in any case where a river or stream has more than one mouth, shall be deemed to include every outlet thereof and the shore of the lake between those outlets.

4. Trawling prohibited—No person shall use a trawl net in any of the following areas:

- (a) *Pegasus Bay*: The waters of Pegasus Bay lying inside a straight line drawn from the north bank of the mouth of the Waimakariri River (at 43° 23.2' S and 172° 42.6' E) to Godley Head lighthouse (at 43° 35.4' S and 172° 48.5' E) to Beacon Rock (at 43° 36.3' S and 172° 51.6' E) to Wakaroa Point (at 43° 37.5' S and 172° 56.0' E) to Otohauo Head (at 43° 38.2' S and 172° 58.8' E) to Long Lookout Point (at 43° 39.1' S and 173° 02.9' E) to East Head at Okains Bay (at 43° 41.1' S and 173° 05.2' E):
- (b) *Le Bons' Bay*: The waters of Le Bons' Bay, Banks Peninsula, lying inside a straight line drawn from the northeasternmost extremity of Steep Head (at 43° 44.3' S and 173° 07.6' E) to the easternmost extremity of Katawa Head (at 43° 43.8' S and 173° 07.0' E):
- (c) *Akaroa Harbour*: The waters of Akaroa Harbour lying inside a straight line drawn from the southeasternmost extremity of Timutimu Head (otherwise known as Iron Head) (at 43° 54.0' S and 172° 57' E) to the southernmost extremity of Te Ruahine Point (at 43° 53.3' S and 172° 58.2' E):

- (d) *Wharekauri Island and Pitt Island in the Chatham Islands*: The waters of Petre Bay lying inside a straight line drawn from Somes Point (at 43° 50.4' S and 176° 53.2' W) to Durham Point (at 44° 00.6' S and 176° 41.0' W); and the waters of Hanson Bay lying inside a straight line drawn from Okawa Point (sometimes known as Waikeri Point) (at 43° 46.3' S and 176° 14.2' W) to Manukau Point (at 44° 02.1' S and 176° 19.6' W), and all those waters lying within 3 nautical miles of mean high-water mark of the shore of Wharekauri Island and Pitt Island.

5. Taking eels prohibited—(1) No person shall take eels from Lake Forsyth.

(2) No person shall take eels from those waters, or streams flowing into those waters, lying in a westerly direction from a straight line drawn due South from the site of a post on the north bank to the site of a post on the south bank of the arm of Lake Ellesmere near Taumutu.

6. Taking rock lobsters in the Chatham Islands—No person shall, during the period commencing with the 1st day of March 1984 and expiring with the 30th day of April 1984, take by any fishing method or have in possession any rock lobster from the waters of the Chatham Islands rock lobster fishery.

7. Prohibition on fishing in certain areas—No person shall take fish by any method during the period commencing with the 1st day of January and expiring with the 30th day of April in any year from those waters lying within 1 km seawards in any direction of a line drawn from the southernmost bank to the northernmost bank of the mouth or mouths of the following rivers:

- (a) The Rakaia;
- (b) The Ashburton;
- (c) The Rangitata;
- (d) The Waitaki.

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 Christchurch 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.