

**Reprint
as at 1 February 2014**



**Fisheries (Central Area Amateur
Fishing) Amendment Regulations
2009**

(SR 2009/240)

Fisheries (Central Area Amateur Fishing) Amendment Regulations 2009:
revoked, on 1 February 2014, pursuant to regulation 161(1)(c) of the Fisheries
(Amateur Fishing) Regulations 2013 (SR 2013/482).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 24th day of August 2009

Present:

His Excellency the Governor-General in Council

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

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made
in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry for Primary Industries.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal regulations amended	2
4	Interpretation	2
5	New regulation 4 substituted	3
	4 Net restrictions at Wairoa Hard	3
6	New regulation 4A substituted	3
	4A Set netting prohibited in Pauatahanui Inlet	3
7	New regulation 4C inserted	4
	4C Minimum size for paua	4
8	Restrictions on fishing around Sugar Loaf Islands	5
9	New regulation 5B substituted	6
	5B Set netting prohibited within defined area of coast adjacent to Cape Runaway	6
10	New regulation 5D inserted	6
	5D All fishing methods except hand-held line prohibited within Pukerua Bay	6
11	Offences	7

Regulations

- 1 Title**
These regulations are the Fisheries (Central Area Amateur Fishing) Amendment Regulations 2009.
- 2 Commencement**
These regulations come into force on 1 October 2009.
- 3 Principal regulations amended**
These regulations amend the Fisheries (Central Area Amateur Fishing) Regulations 1986.
- 4 Interpretation**
 - (1) Regulation 2A is amended by inserting the following definition in its appropriate alphabetical order:
“**paua** means ordinary paua (*Haliotis iris*)”.

- (2) Regulation 2A is amended by omitting the definition of **Central Fishery Management Area** and substituting the following definition:

“**Central Fishery Management Area** means the fishery management area described as Fishery Management Area 2—Central (East) in Schedule 1 of the Fisheries Act 1996”.

5 New regulation 4 substituted

Regulation 4 is revoked and the following regulation substituted:

“4 Net restrictions at Wairoa Hard

- “(1) No person may use a net for taking finfish in the waters of Hawke Bay known as the Wairoa Hard.

- “(2) In this regulation, **Wairoa Hard** means the waters within a line that—

“(a) commences at the mouth of the Moeangiangi River at a point 39°14.75’S and 177°01.32’E; and

“(b) then proceeds in a southerly direction to a point 39°16.6’S and 177°07.6’E; and

“(c) then proceeds in a northeasterly direction to a point 39°11.3’S and 177°21.2’E; and

“(d) then proceeds in a northwesterly direction to the Waihua River Mouth at a point 39°05.51’S and 177°17.60’E; and

“(e) then proceeds along the mean high-water mark to the northernmost bank of the mouth of the Mohaka River; and

“(f) then proceeds along the mean high-water mark to the point of commencement.”

6 New regulation 4A substituted

Regulation 4A is revoked and the following regulation substituted:

“4A Set netting prohibited in Pauatahanui Inlet

No person may use a set net in the waters of Pauatahanui Inlet lying inside a line drawn from North End at 41°06.13’S and 174°52.17’E to South End at 41°06.33’S and 174°52.18’E.”

7 New regulation 4C inserted

The following regulation is inserted after regulation 4B:

“4C Minimum size for paua

- “(1) The reference to ordinary paua in regulation 19(4) of the Fisheries (Amateur Fishing) Regulations 1986 does not apply to the paua of the Amateur Taranaki Paua Fishery Area. Instead, subclauses (2) to (4) of this regulation apply to that paua.
- “(2) No person may take any paua that is less than 85 mm in length from the Amateur Taranaki Paua Fishery Area.
- “(3) No person may possess, inside the Amateur Taranaki Paua Fishery Area, any paua that is less than 85 mm in length taken from the Amateur Taranaki Paua Fishery Area.
- “(4) No person may possess, outside the Amateur Taranaki Paua Fishery Area, any paua that is less than 125 mm in length taken from the Amateur Taranaki Paua Fishery Area.
- “(5) In this regulation, **Amateur Taranaki Paua Fishery Area** means the waters within a line that—
- “(a) commences at a point on the northern bank of the Awakino River mouth at 38°39.88'S and 174°37.26'E; and
- “(b) then proceeds due east to State Highway 3 at 38°39.88'S and 174°37.44'E; and
- “(c) then proceeds in a generally northeasterly direction along State Highway 3 to a point where State Highway 3 intersects State Highway 4 at 38°24.84'S and 175°06.54'E; and
- “(d) then proceeds in a generally southerly direction along State Highway 4 to a point where State Highway 4 intersects State Highway 3 at 39°57.05'S and 175°03.36'E; and
- “(e) then proceeds in a generally northwesterly direction along State Highway 3 to a point where State Highway 3 intersects the southern bank of the Whanganui River at 39°56.76'S and 175°02.82'E; and
- “(f) then proceeds in a generally westerly direction along the southern bank of the Whanganui River and along the wharf named South Mole to the navigational light 'S Mole Head' at 39°57.00'S and 174°58.90'E; and

- “(g) then proceeds due southwest to a point intersecting with the outer limit of the territorial sea at 40°06.44’S and 174°49.44’E; and
- “(h) then proceeds in a generally northerly direction following the outer limit of the territorial sea to a point at 38°39.88’S and 174°21.42’E; and
- “(i) then proceeds due east to the point of commencement.”

8 Restrictions on fishing around Sugar Loaf Islands

Regulation 5(6) is revoked and the following subclause substituted:

“(6) In this regulation,—

“**conservation area** means that part of the prescribed area that is the area of New Zealand fishery waters enclosed by a circle of 500 m radius with a centre point at 39°03.38’S and 174°00.20’E on Waikaranga (Seal Rock)

“**prescribed area** means the waters and islands within a line that—

- “(a) commences at the mean high-water mark drawn from a point 39°04.22’S and 174°01.19’E; and
- “(b) then proceeds in a westerly direction to a point 39°03.83’S and 173°59.96’E; and
- “(c) then proceeds along the line of an arc of 900 m radius from a point 39°03.38’S and 174°00.20’E on Waikaranga (Seal Rock) to a point 39°03.07’S and 173°59.72’E; and
- “(d) then proceeds in a line to a point 39°02.43’S and 174°00.41’E; and
- “(e) then proceeds along the line of an arc of 900 m radius from a point 39°02.74’S and 174°00.89’E on Matumahanga (Saddleback Island) to a point 39°02.37’S and 174°01.29’E; and
- “(f) then proceeds along a line from the navigation light on the lee breakwater of Port Taranaki at 39°03.30’S and 174°02.68’E to a point where this line intersects the northwestern boundary of the New Plymouth Roadstead extended; and

- “(g) then proceeds to a point where the northwestern boundary of the New Plymouth Roadstead crosses the mean high-water mark in the vicinity of Paritutu; and
- “(h) then proceeds in a southwesterly direction along the mean high-water mark to the point of commencement
- “**trolling** means line fishing using an artificial lure with the line being towed by a vessel making way.”

9 New regulation 5B substituted

Regulation 5B is revoked and the following regulation substituted:

“5B Set netting prohibited within defined area of coast adjacent to Cape Runaway

No person may use a set net in waters within a line that—

- “(a) commences at the mean high-water mark at Potikirua Point at 37°32.53’S and 178°04.91’E; and
- “(b) then proceeds in a straight line in a northerly direction to a position approximately 2 nautical miles from the point of commencement at 37°30.6’S and 178°4.8’E; and
- “(c) then proceeds in a generally westerly direction by a line every point of which is 2 nautical miles from the mean high-water mark to a point approximately 2 nautical miles north of Cape Runaway at 37°32.30’S and 177°59.00’E; and
- “(d) then proceeds in a straight line in a southerly direction to the mean high-water mark at Cape Runaway at 37°32.3’S and 177°50’E; and
- “(e) then proceeds along the line of the mean high-water mark in a generally easterly direction to the point of commencement.”

10 New regulation 5D inserted

The following regulation is inserted after regulation 5C:

“5D All fishing methods except hand-held line prohibited within Pukerua Bay

- “(1) No person may take fish, aquatic life, or seaweed from Pukerua Bay, except by the method of a hand-held line.

- “(2) In this regulation, **Pukerua Bay** means waters within a line that—
- “(a) commences at a point on the coastline east of Wairaka Point at 41°01.84’S and 174°52.26’E; and
 - “(b) then proceeds north to a prominent rock at 41°01.68’S and 174°52.26’E; and
 - “(c) then proceeds generally northeast to a point on the coastline at 41°00.94’S and 174°54.96’E; and
 - “(d) then proceeds generally southwest following the coastline to the point of commencement.”

11 Offences

Regulation 6(1) is amended by omitting “5, or 5B” and substituting “4C, 5, 5B, or 5D”.

Rebecca Kitteridge,
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 amend the Fisheries (Central Area Amateur Fishing) Regulations 1986. They provide new management measures for the amateur paua fishery in Taranaki, prohibit all fishing methods except hand-held line fishing in Pukerua Bay, and correct some co-ordinates. They come into force on 1 October 2009.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 27 August 2009.

Reprints notes

1 *General*

This is a reprint of the Fisheries (Central Area Amateur Fishing) Amendment Regulations 2009 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Fisheries (Amateur Fishing) Regulations 2013 (SR 2014/482): regulation 161(1)(c)
