



## FISHERIES (AUCKLAND AND KERMADEC AREAS AMATEUR FISHING) AMENDMENT REGULATIONS (NO. 2) 1998

---

MICHAEL HARDIE BOYS, Governor-General

### ORDER IN COUNCIL

At Wellington this 5th day of October 1998

Present:

HIS EXCELLENCE THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 89 of the Fisheries Act 1983 and sections 186, 297, and 298 of the Fisheries Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

---

#### ANALYSIS

- 1. Title and commencement
- 2. Interpretation

- 3. Maximum daily limit on certain shellfish species for Auckland Metropolitan Area
- 4. Prohibition on taking pipi and cockles from western Coromandel Peninsula

#### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Amendment Regulations (No. 2) 1998, and are part of the Fisheries

(Auckland and Kermadec Areas Amateur Fishing) Regulations 1986<sup>\*\*</sup> ("the principal regulations").

(2) These regulations come into force on 1 December 1998.

**2. Interpretation**—Regulation 3 of the principal regulations is amended by inserting in the definition of the term "green mussel", before the word "means", the words "or 'green-lipped mussel'".

**3. Maximum daily limit on certain shellfish species for Auckland Metropolitan Area**—The principal regulations are amended by inserting, after regulation 3A, the following regulation:

"3B. (1) Despite regulation 19 of the Fisheries (Amateur Fishing) Regulations 1986†, the maximum numbers of shellfish of the species specified in the following table that may be taken or possessed in any day by any person from the Auckland Metropolitan Area are as follows:

Species of Shellfish	Maximum Daily Limit Per Person
Cockles ... ... ... ... ...	50
Green-lipped mussels ... ... ...	25
Oysters—Pacific or rock ... ... ...	100
Pipi ... ... ... ...	50
Tuatua ... ... ... ...	50

"(2) In this regulation, 'Auckland Metropolitan Area' means those waters within the area defined by a line commencing at the mean high-water mark at the easternmost point of Cape Rodney (at 36° 16.8'S and 174° 49.3'E), then proceeding in a straight line in a south-easterly direction to a point at 36° 43.98'S and 175° 15.8'E situated approximately one-third of the way along a transect between Thumb Point (on the northeastern side of Waikehe Island) and Haupatu Point (western Coromandel Peninsula), then proceeding in a straight line in a generally southerly direction into the Firth of Thames to a point approximately 4 nautical miles east of Miranda (at 37° 09.39'S and 175° 23.67'E), then proceeding in a straight line in a westerly direction to the mean high-water mark at the southern embankment of the Miranda Stream (at 37° 11.2'S and 175° 19.2'E), then proceeding in a straight line in a generally westerly direction to a point at 37° 24.13'E and 174° 42.8'S at the southernmost part of the sandspit of the mouth of the Waikato River (at Port Waikato) on the west coast of the North Island, then proceeding in a straight line due west offshore for 1 nautical mile, then in a northerly direction by a line every point of which is 1 nautical mile from the mean high-water mark from the North Island west coast (and including all of the Manukau

\*S.R. 1986/222  
 Amendment No. 1: S.R. 1992/209  
 Amendment No. 2: S.R. 1992/309  
 Amendment No. 3: S.R. 1993/285  
 Amendment No. 4: S.R. 1994/256  
 Amendment No. 5: S.R. 1995/213  
 Amendment No. 6: S.R. 1995/231  
 Amendment No. 7: S.R. 1996/18  
 Amendment No. 8: S.R. 1996/276  
 Amendment 1997: S.R. 1997/27  
 Amendment 1998: S.R. 1998/26  
 †S.R. 1986/221

Harbour) to a point at  $36^{\circ} 48.88'S$  and  $174^{\circ} 23.76'E$ , then proceeding in a straight line due east to the mean high-water mark junction with the mouth of the Okiritoto Stream (Muriwai Beach) (at  $36^{\circ} 48.88'S$  and  $174^{\circ} 25.03'E$ ), then proceeding in a straight line in a north-easterly direction to a trig point named Conical Peak (northwest of Matakana, Warkworth, at NZMS 260, R09, 603408), then proceeding in a straight line in a generally easterly direction to the point of commencement.”

**4. Prohibition on taking pipi and cockles from western Coromandel Peninsula**—The principal regulations are amended by inserting, after regulation 6E, the following regulation:

“6F. No person may, during the period from 1 December 1998 to 30 November 2000 (both dates inclusive), take any pipi or cockle from, and no person may be in possession of any pipi or cockle so taken from, that area of New Zealand fisheries waters that lies within an area defined by a line commencing at a point adjacent to the northernmost part of Wilson Bay (at  $36^{\circ} 53.24'S$  and  $175^{\circ} 25.43'E$ ), then proceeding generally in a southerly direction along the mean high-water mark to the Pupurakau Stream mouth (at  $37^{\circ} 04.49'S$  and  $175^{\circ} 30.96'E$ ), adjacent and to the south of the area known as Ngarimu Bay, then due west in a straight line offshore to a distance of 1 nautical mile, then generally in a northerly direction by a line every point of which is 1 nautical mile from the mean high-water mark of the western Coromandel Peninsula between the Pupurakau Stream mouth and the point of commencement.”

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 1 December 1998, amend the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986 by—

- (a) Specifying a daily limit per person for cockles, green-lipped mussels, oysters, pipi, and tuatua taken from within Auckland Metropolitan Area waters; and
  - (b) Prohibiting, during the 2-year period from 1 December 1998 to 30 November 2000, the taking of pipi and cockles from that part of the western side of the Coromandel Peninsula that falls between Ngarimu Bay and Wilson Bay.
- 

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

Date of notification in *Gazette*: 8 October 1998.

These regulations are administered in the Ministry of Fisheries.