



19 December 2019

Document Number: B19-0718

Proposed Te Mata and Waipatukahu Temporary Closure

Purpose:

This briefing provides you with Fisheries New Zealand's advice on a request for a 24-month closure of coastal waters around Te Mata and Waipatukahu, western Coromandel Peninsula, to the take of pipi, cockles and mussels.

The request is made by Ngāti Tamaterā Treaty Settlement Trust.

Minister	Action Required:	Minister's Deadline
Minister of Fisheries	<p>Note the contents of this brief.</p> <p>Note the advice in this paper regarding consultation on the proposed prohibitions.</p> <p>Decide whether to impose a temporary closure of the waters around Te Mata and Waipatukahu to prohibit the take of pipi, cockles and mussels, pursuant to section 186A of the Fisheries Act 1996.</p>	By 20 December 2019

Contact for telephone discussion (if required)

	Name	Position	Work	Mobile
Responsible Director	Stuart Anderson	Director, Fisheries Management	s 9(2)(a)	s 9(2)(a)
Responsible Manager	s 9(2)(a)	Team Manager, Spatial Planning and Allocations	s 9(2)(a)	s 9(2)(a)
Principal Author	s 9(2)(a)	Senior Analyst, Spatial Planning and Allocations	s 9(2)(a)	-

Key Messages

1. On 13 December 2019, the Ngāti Tamaterā Treaty Settlement Trust (the Trust), on behalf of Ngāti Tamaterā, requested a temporary closure under s186A of the Fisheries Act 1996. Section 186A provides for the Minister of Fisheries to temporarily close an area to fishing for any species, or temporarily restrict or prohibit the use of any fishing method.
2. The request seeks a two-year closure of the coastline adjacent to Te Mata and Waipatukahu (also known as Tapu), western Coromandel, to the take of pipi, cockles and mussels.
3. Te Mata and Waipatukahu are popular with recreational and customary fishers. A longer stretch of coastline, including the proposed Te Mata and Waipatukahu area, was previously closed between 2000 and 2006 under a series of temporary closures, to protect the pipi and cockle populations. These closures were placed by the Hauraki Māori Trust Board.
4. Ngāti Tamaterā and the other iwi of Pare Hauraki consider that current fishing pressure continues to result in a decline in the mussel, pipi and cockle populations. This is affecting the sustainable use of these important customary fisheries at Te Mata and Waipatukahu. Adjacent shellfish beds will remain open to ensure these species are available for recreational fishing.
5. Local residents have also supported protection of these shellfisheries in the recent past, and many have signed a petition seeking closures of the fisheries to rebuild their populations.
6. Ngāti Tamaterā intend to place a traditional rāhui over the proposed area on 21 December 2019 to close the fisheries to all harvest, including customary fishing. They are seeking the statutory temporary closure to give legal effect to the traditional rāhui.
7. The Ministry has a protocol with the iwi arising from the Crown settlement of historic treaty claims with Ngāti Tamaterā. The protocol provides that where the Trust has placed a rāhui, the Ministry will inform fishers of the voluntary closure. This action will assist in making people aware of the impact of continued fishing on the sustainability of these shellfish populations.
8. Any closure of these fisheries under s186A will not be able to be Gazetted and come into force around 10 January 2020.
9. On 13 December 2019, you consulted on the request directly with the Hauraki Iwi Collective.

10. Fisheries New Zealand contacted recreational fishing interests for feedback on the request. No contact was made with environmental interests. There is no commercial fishing allowed for mussels, pipi or cockles in this area, and we have therefore not consulted commercial stakeholders. Before giving the temporary closure *Gazette* notice, you must be satisfied the consultation requirements required in s186A(7)(a) are met.
11. s 9(2)(g)(i)
12. To impose a temporary closure under s186A(2), you must be satisfied it will recognise and provide for the use and management practices of tangata whenua in the exercise of their non-commercial fishing rights, by:
 - (a) Improving the availability or size (or both) of a species, or
 - (b) Recognising a customary fishing practice in the area.
13. Fisheries New Zealand has assessed the request against the statutory criteria provided by s186A(2), and considers the request meets those statutory requirements.
14. If you are satisfied that all of the statutory criteria have been met, including the prerequisite to consult with interested parties, then Fisheries New Zealand recommends you impose a temporary closure at Te Mata and Waipatukahu to the take of pipi, cockles and mussels.
15. A six-month closure over the relatively small area encompassed by the Te Mata and Waipatukahu closure will have a lesser impact on the ability of people to access shellfish while providing statutory support for the traditional rāhui over the summer holiday period.
16. A six-month closure will provide time for Fisheries New Zealand and Ngāti Tamaterā, to progress work on longer term measures to provide for the sustainable utilisation of these fisheries. This could include consideration of a longer-term (2 year) temporary closure.
17. It is open to you to decide whether the proposed area should be closed for a six-month period, or the requested two-year period.
18. If you are satisfied that all of the statutory requirements have been met, then attached for your signature is a *Gazette* notice closing Te Mata and Waipatukahu. The temporary closure comes into force once it is Gazetted. You must sign the *Gazette* notice before that date.
19. Fisheries New Zealand will publish a notice in the *New Zealand Herald* to inform the public about the closure.

Recommendations

20. Fisheries New Zealand recommends that you:

- a) **Note** the contents of this brief; **Noted**
- b) **Note** the consultation prerequisites for imposing a temporary closure; and **Agreed / Not Agreed**
- c) **Agree** that the prerequisite to provide for input and participation of tangata whenua in the decision-making process before imposing a temporary closure has been complied with; **Agreed / Not Agreed**

Agree to ONE of the following options:

- d) **Agree** to impose a temporary closure at Te Mata and Waipatukahu, to prohibit the take of pipi, cockles and mussels for a six-month period, pursuant to section 186A of the Fisheries Act 1996; **Agreed / Not Agreed**
 - i. **Agree** to sign the attached *Gazette* notice that contains the revocation date of 20 June 2020 in clause 3; and **Agreed / Not Agreed**
 - ii. **Note** that Fisheries New Zealand will publish a notice in the *New Zealand Herald* to inform the public about the closure. **Noted**

OR

- e) **Agree** to impose a temporary closure at Te Mata and Waipatukahu, to prohibit the take of pipi, cockles and mussels for a two-year period, pursuant to section 186A of the Fisheries Act 1996; **Agreed / Not Agreed**
 - i. **Agree** to sign the attached *Gazette* notice that contains the revocation date of 20 December 2021 in clause 3; and **Agreed / Not Agreed**
 - ii. **Note** that Fisheries New Zealand will publish a notice in the *New Zealand Herald* to inform the public about the closure. **Noted**

Dan Bolger
Deputy Director-General
Fisheries New Zealand

Hon Stuart Nash
Minister of Fisheries
/ / 2019

Background

Legislation

Fisheries Act 1996

21. Section 186A(1) of the Fisheries Act 1996 (the Act) provides for the Minister of Fisheries to temporarily close an area to fishing for any species, or temporarily restrict or prohibit the use of any fishing method.
22. The purpose of a temporary closure is to recognise and provide for the use and management practices of tangata whenua in the exercise of their non-commercial fishing rights. Section 186A seeks to give effect to the provisions of the Act and the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (the Settlement Act). These relate to ongoing Treaty obligations on the Crown to better provide for Māori non-commercial customary fishing rights and interests, and Māori participation in the management and conservation of New Zealand's fisheries.
23. As Minister of Fisheries you may impose such a closure, restriction, or prohibition only if satisfied that it will recognise and provide for the use and management practices of tangata whenua in the exercise of non-commercial fishing rights by:
 - (a) Improving the availability or size (or both) of a species of fish, aquatic life or seaweed in the area subject to the closure, restriction or prohibition – s186A(2)(a); or
 - (b) Recognising a customary fishing practice in that area - s186A(2)(b).
24. A notice given under s186A(1) of the Act may not be in force for more than two years. The Act does not specify the number of notices that can be given under s186A(1) over the same area. However, the power in s186A(1) is constrained by s186A(2), as you must be satisfied that a further temporary closure would be likely to assist either of the grounds in s186A(2)(a) or (b).
25. Before giving a notice under s186A(1), you must:
 - (a) Consult with persons you consider are representative of persons having an interest in the species concerned or in the effects of fishing in the area concerned, including tangata whenua, environmental, commercial, recreational; and
 - (b) Provide for the input and participation in the decision-making process of the tangata whenua with a non-commercial interest in the species and the effects of fishing in the area concerned, and have particular regard to kaitiakitanga.

26. A *Gazette* notice given under s186A(1) must be publicly notified. Publicly notify is defined in the Act. It requires publishing a public notice in a daily newspaper circulating in a main metropolitan area. It will be presented to the House of Representatives following gazettal.

Hauraki Gulf Marine Park Act 2000

27. Section 13 of the Hauraki Gulf Marine Park Act 2000 (HGMP Act) requires any persons exercising powers and functions under the Fisheries Act 1996, in respect of the Hauraki Gulf, to have particular regard to s7 and s8 of the HGMP Act.
28. Section 7 of the HGMP Act recognises the national significance of the Hauraki Gulf and its islands and catchments, and the ability of that interrelationship to sustain the life supporting capacity of the environment of the Hauraki Gulf. Life supporting capacity includes the capacity –
- (a) To provide for the historic, traditional, cultural and spiritual relationship of tangata whenua of the Hauraki Gulf with the Gulf and its islands;
 - (b) To provide for the social, economic, recreational and cultural well-being of people and communities;
 - (c) To use the resources of the Hauraki Gulf by the people and communities of the Hauraki Gulf and New Zealand for economic activities and recreation.
29. Section 8 of the HGMP Act sets out the objectives for the management of the Hauraki Gulf which are:
- (a) The protection and enhancement, where appropriate, of the life supporting capacity of the environment of the Hauraki Gulf and its islands, and catchments;
 - (b) The protection, and where appropriate the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands and catchments;
 - (c) The protection and where appropriate, the enhancement, of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship;
 - (d) The protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic and physical resources;
 - (e) The maintenance, and where appropriate, the enhancement of the contributions of the natural, historic, and physical resources of the Hauraki Gulf, its islands and catchments to the social and economic wellbeing of the people and communities of the Hauraki Gulf and New Zealand; and
 - (f) The maintenance, and where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

30. The traditional rāhui being placed by Ngāti Tamaterā over Te Mata and Waipatukahu is intended to stop the likely rapid decline of the cockle, pipi and mussel populations in that area while longer term management measures are developed with tangata whenua and the local community to provide for the sustainable use of the fishery.
31. The traditional rāhui will protect and enhance the life supporting capacity of the environment and the natural resources of the Hauraki Gulf by ensuring that the shellfish populations in the area are protected from overfishing and are able to maintain their role in the ecosystem.
32. The traditional rāhui will also protect and enhance the natural resources, which includes kaimoana, with which tangata whenua have an historic, traditional, cultural and spiritual relationship. The temporary closure will provide statutory support for the traditional rāhui.
33. However, it is open to you to impose a six-month closure, or the requested two-year closure.
34. Officials consider that the proposed temporary closure is consistent with s7 and s8 of the HGMP Act and will achieve the management objectives of those sections of that Act.
35. Along with other mandatory considerations under the Act, when making your decisions on this proposal officials recommend that you consider this advice and have particular regard to sections 7 and 8 of the HGMP Act when making your decision.

Ngāti Tamaterā

36. The Ngāti Tamaterā area of interest covers an extensive area from Warkworth, north of Auckland, to Matakana near Tauranga. It includes all of the Gulf and islands and is centred on the western Coromandel Peninsula.
37. Ngāti Tamaterā is one of twelve Hauraki iwi¹ who have collectively negotiated Treaty settlements with the Crown. Their settlement requires you (along with other Ministers) to issue a protocol setting out how the Ministry for Primary Industries (MPI) will provide for Ngāti Tamaterā's interest in the protocol area which includes Te Mata and Waipatukahu. In respect of fisheries, the protocol commits MPI, as far as reasonably practicable, to consider requests for s186A temporary closures over Ngāti Tamaterā's customary fisheries; and, to support rāhui, for purposes consistent with that section of the Act.
38. Ngāti Tamaterā descend from the Tainui waka and are recognised as one of the groups comprising Hauraki Iwi under the Māori Fisheries Act 2004. The Auckland Council recognises Ngāti Tamaterā as an iwi authority.²

¹ Ngāi Tai ki Tāmaki, Ngāti Hei, Hako, Ngāti Maru, Ngāti Paoa, Ngāti Porou ki Hauraki, Ngāti Pukenga, Ngāti Tara Tokanui, Ngāti Rāhiri Tumutumu, Ngāti Tamaterā, Ngaati Whanaunga and Te Patukirikiri

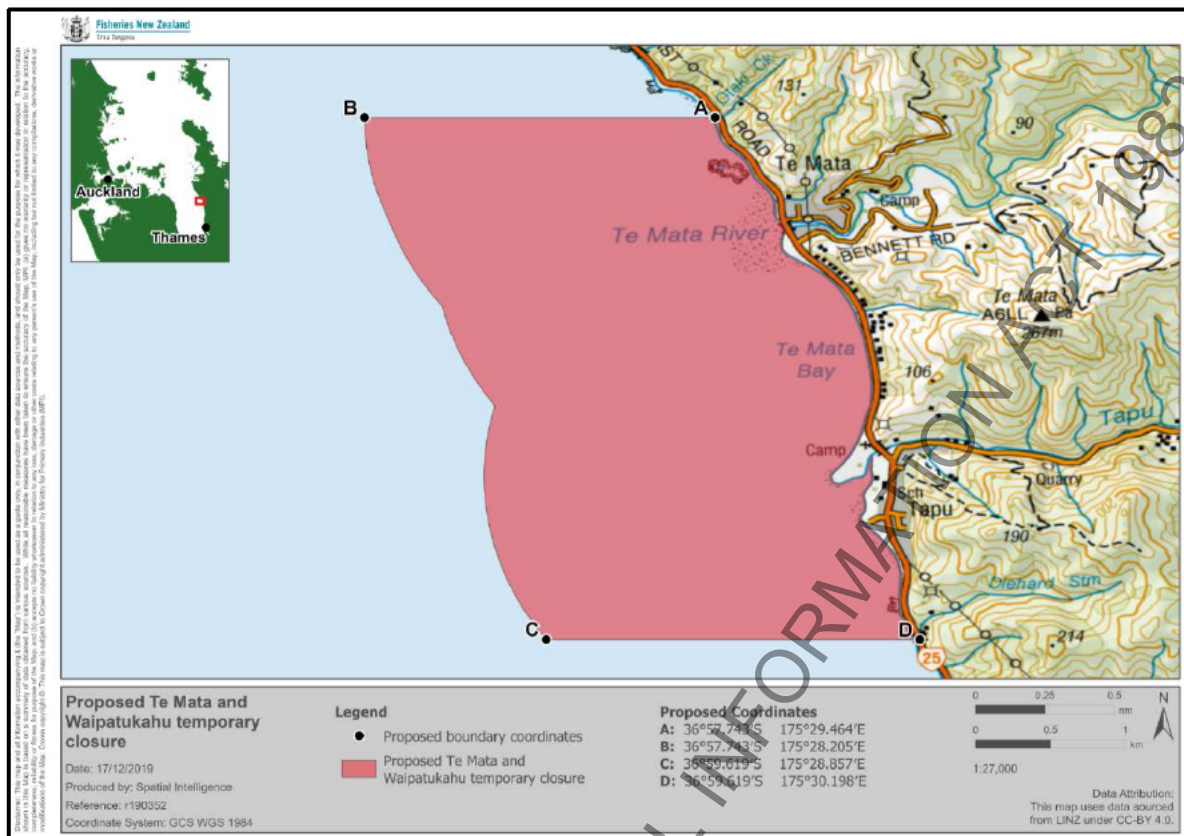
² An iwi authority is a mandated organisation representing the interests of iwi and/or hapū.

Requests for temporary closures

39. In 2000, the then Minister of Fisheries approved a request from the Hauraki Maori Trust Board for a two-year temporary closure under s186A to the take of pipi and cockles. Further two-year temporary closures were approved in 2002 and 2004. The area closed extended further north and south of the proposed Te Mata and Waipatukahu area.
40. The 2004 request states that the further closures were because recent survey results showed that; while there was some recruitment, the shellfish were small and not growing to harvestable sizes. The survey concluded that depletion may have been caused by over harvesting and significant flood events, resulting in increased sedimentation into the estuarine environment.
41. On 13 December 2019, the Trust requested a two-year temporary closure of Te Mata and Waipatukahu, to the take of pipi, cockles and mussels. The Trust state that over the past 15 years, local whanau who regularly gather shellfish in the proposed area have noticed that it takes longer to gather the kaimoana compared to previous years and they are smaller. The Trust further state that local Kaitiaki and residents have observed large groups of visitors coming from Auckland and taking "large quantities" on a regular basis.
42. Fisheries New Zealand notes the potential for increased recreational fishing during the Christmas holiday period with the seasonal influx of very high numbers of visitors to the area.

The proposed closure area

43. Te Mata and Waipatukahu (also known as Tapu) are sand banks adjacent to the Te Mata and Tapu townships, north of Thames, on the western side of the Coromandel Peninsula.
44. The proposed area extends from Ōtaki Creek to Diehard Stream (also known as Onepoto Stream), and offshore one nautical mile (see map). The proposed area covers approximately 7.1 km².



Map: Area of the proposed temporary closure

Consultation

45. Before imposing a temporary closure, you must consult with persons you consider are representative of persons having an interest in the species concerned or in the effects of fishing in the area concerned, including tangata whenua, environmental, commercial, recreational, and local community interests.
46. On 13 December 2019, iwi present at the Hauraki Iwi Collective hui which you attended at the Matai Whetu Marae, agreed unanimously that they supported the proposal. Iwi at that hui sought an assurance that all efforts be made to protect the area before heavy fishing occurred over the Christmas period.
47. In order to achieve this time line, Fisheries New Zealand commenced consultation on 17 December 2019 with the following parties:
 - (a) Environmental interests: No representatives of environmental interests have been able to be contacted in the time available.
 - (b) Commercial interests: No representatives of commercial interests (including commercial fishing interests) were consulted. This area is closed to commercial fishing. Fisheries New Zealand is not aware of any commercial fishers with an interest in the shellfish species within the proposed area.
 - (c) Recreational interests: Representatives of the NZ Sports Fishing Council, NZ Recreational Fishing Council, LegaSea, the New Zealand International Game Fish Association, and a past manager of the Mercury Bay Game Fishing Club were asked to provide feedback on the request.

48. The NZ Sports Fishing Council member who was contacted supports the temporary closure in principle, but at the time of writing this advice, did not have time to refer the request to other members of the Council.
49. The NZ Recreational Fishing Council and the New Zealand International Game Fish Association support the request.
50. The past manager of the Mercury Bay Game Fishing Club stated that, although they did not have a mandate to speak on behalf of the Club as an individual they supported the temporary closure proposal, and noted that they have spoken to a number of local fishers, including commercial and recreational, who all support a closure.
51. At the time of writing this advice, no response had been received from LegaSea.
52. In October 2016, a local Te Mata resident, s 9(2)(a), initiated a community conversation and action to save the Te Mata and Tapu shellfish.
53. The Trust have provided a petition in support of saving the cockles at Te Mata Bay, signed by 65 members of the local community. The petition's signatories hope that by saving the cockles, the mussel, pipi and Pacific oyster populations will also be replenished. The date of the petition is not stated.

Input and participation

54. Before imposing a temporary closure, you must provide for the input and participation in the decision-making process of the tangata whenua with a non-commercial interest in the species and the effects of fishing in the area concerned, and have particular regard to kaitiakitanga when making your decision.
55. As noted, on 13 December 2019, you asked iwi present at the Hauraki Iwi Collective hui if they supported the request. They unanimously supported the proposal.

Assessment

56. A temporary closure may only be imposed if you are satisfied that it will recognise and provide for the use and management practices of tangata whenua in the exercise of non-commercial fishing rights by:
 - (a) Improving the availability or size (or both) of a species of fish, aquatic life or seaweed in the area subject to the closure, restriction or prohibition – s186A(2)(a); or
 - (b) Recognising a customary fishing practice in that area - s186A(2)(b).

Recognise and make provision for the use and management practices of tangata whenua in the exercise of non-commercial fishing rights (s186A(2))

57. Fisheries New Zealand considers the request recognises and provides for the use and management practices of tangata whenua in the exercise of non-commercial fishing rights.
58. The principal use and management practice of tangata whenua in the exercise of their non-commercial fishing rights is kaitiakitanga. The Act interprets kaitiakitanga as:
- “the exercise of guardianship; and, in relation to any fisheries resources, includes the ethic of stewardship based on the nature of the resource, as exercised by the appropriate tangata whenua in accordance with tikanga Maori.”³*
59. Ngāti Tamaterā has the principal interest amongst the twelve Hauraki iwi who are collectively recognised as having manawhenua within the area that includes Te Mata Bay, Waipatukahu, and surrounding areas. Ngāti Tamaterā are mana whenua and kaitiaki of Te Mata and Waipatukahu.
60. This is the first request for a temporary closure from Ngāti Tamaterā. The request states that Ngāti Tamaterā will place a traditional rāhui over the proposed area, to start on 21 December 2019. Placing a traditional rāhui is an expression of kaitiakitanga in accordance with tikanga (the correct customary practice of tangata whenua).
61. The requests states that Ngāti Tamaterā’s non-commercial customary fishing activities include issuing customary fishing permits for hand gathering pipi, cockles and mussels for hui, tangihanga and other marae based celebrations. When feeding whanau, they adhere to the amateur fishing rules.

Recognising customary fishing practices (s186A(2)(b))

62. You only need to consider whether either of the outcomes provided by s186A(2)(a) and (b) will be met by imposing a temporary closure. Fisheries New Zealand has assessed the request against the outcome set out in s186A(2)(b) of the Act.
63. Fisheries New Zealand considers a temporary closure will recognise the customary fishing practices of Ngāti Tamaterā.
64. There are two customary fishing practices a temporary closure will recognise:
- (a) The exercise of kaitiakitanga, which is the primary customary fishing practice that directs all others; and
 - (b) The practice of placing a traditional rāhui over an area, which applies to tangata whenua and those who voluntarily respect tikanga.

³ Section 2 of the Fisheries Act 1996.

65. The Trust considers that harvesting pressure has led to a depletion of the shellfish resources in the proposed area. Notwithstanding the recreational daily bag limits for pipi, cockles and green-lipped mussels, the Trust considers the beach's proximity to a large population of recreational harvesters risks over harvesting, unless appropriate management measures are put in place.
66. A temporary closure will support and reinforce the traditional rāhui by ensuring all fishers are precluded from harvesting pipi, cockles and mussels from the proposed area.

Other matters

Length of the closure

67. The Trust requested a 24 month closure. Concurrently, the Trust emphasised their concern that their shellfish fisheries may not recover from another Christmas/New Year peak season when harvesting intensifies. The Trust asked you to consider what could be done, in this instance, to get statutory support for their traditional rāhui in place before Christmas.
68. Fisheries New Zealand acknowledges the risks of intensive harvesting over holiday periods in areas that are within proximity of a large population of recreational harvesters.
69. A six-month closure over the relatively small area encompassed by the current request provides time for Fisheries New Zealand and Ngāti Tamaterā to work together to determine longer-term management options for the shellfish beds at Te Mata and Waipatukahu. Options could include consideration a longer-term (2 year) temporary closure, or other measures developed following public consultation.
70. In the interim, our proposed six-month closure provides a level of protection for the area while longer-term options are discussed with Ngāti Tamaterā, and the shorter six-month timeframe reduces the impact on those recreational fishers with an interest in these shellfisheries.
71. Section 186A of the Act does not limit the number of times an area can be subject to a temporary closure.

Publicly notify

72. A temporary closure *Gazette* notice must be publicly notified. The *Gazette* notice is published first, followed by a public notice in a daily newspaper circulating in a main metropolitan area.
73. Submissions of *Gazette* notices to the Gazette Office closed on 19 December 2019. The first publication next year is 9 January 2020.
74. Should you agree to impose the temporary closure, Fisheries New Zealand will:
 - (a) organise for the signed *Gazette* notice to be published on 9 January 2020;
 - and

- (b) organise a public notice to be published in the *New Zealand Herald* as soon as possible after the publishing of the *Gazette* notice.

Compliance

75. Should you agree to the temporary closure, information to assist with public awareness will be updated and MPI compliance staff will enforce the closure.
76. Fisheries New Zealand is not involved in managing traditional rāhui; they are managed at the sole discretion of local tangata whenua according to tikanga.
77. As noted, the draft protocol includes a commitment for MPI, as far as reasonably practicable, to support a traditional rāhui. MPI Compliance have scheduled an increased presence in the proposed area over the Christmas/New Year period, and will assist in raising awareness amongst recreational fishers that the traditional rāhui is in place

Conclusion

78. Before giving the temporary closure Gazette notice, you must be satisfied the consultation requirements required in s186A(7)(a) are met. This requirement is to consult such persons as the Minister considers representative of persons having an interest in the species concerned or the effects of fishing on that species, including tangata whenua, environmental, commercial, recreational, and local community interests.
79. You consulted directly with the Hauraki Iwi Collective. Fisheries New Zealand consulted with some recreational fishing interests. A petition in support of saving the cockles at Te Mata Bay, signed by 65 local community members has been received.
80. If you are satisfied that the consultation requirements have been met, then after considering all of the relevant information available, Fisheries New Zealand recommends you impose a temporary closure at Te Mata and Waipatukahu, to the harvest of pipi, cockles and mussels, for a six-month period. However, it is open to you to decide to impose a two-year temporary closure.
81. Fisheries New Zealand considers that the proposed temporary closure will recognise and make provision for the use and management practices of tāngata whenua in the exercise of their non-commercial fishing rights, by providing statutory support for the traditional rāhui.
82. Te Mata and Waipatukahu is popular with recreational fishers because of its proximity to Manukau and Auckland Cities. If the area remains open, there may be increased recreational fishing activity during the upcoming holiday period and in finer weather conditions.
83. If you agree to impose the temporary closure, attached for your signature is a *New Zealand Gazette* notice. Fisheries New Zealand will publish a notice in the *New Zealand Herald* to inform the public about the closure as soon as possible.

Appendix One: Gazette notices for either six month or two year temporary closure [Please sign only one]

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Fisheries (Te Mata and Waipatukahu Temporary Closure) Notice 2019 (MPI 1110)

Pursuant to section 186A of the Fisheries Act 1996, the Minister of Fisheries, after complying with the requirements of that section, gives the following notice.

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Notice

1 Title

This notice is the Fisheries (Te Mata and Waipatukahu Temporary Closure) Notice 2019.

2 Commencement

This notice comes into force on 10 January 2020.

3 Revocation of this notice

This notice is revoked on the close of 9 July 2020.

4 Te Mata and Waipatukahu closed in respect of pipi, cockles and mussels

(1) A person must not take pipi, cockles or mussels from the Te Mata and Waipatukahu closure area while this notice is in force.

(2) In this clause,-

cockle means a shellfish of the species *Chione (Austrovenus) stutchburyi*

mussels means a shellfish of the species *Perna canaliculus* (green-lipped mussel), *Xenostrobus pulex* (black mussel), *Mytilus galloprovincialis* (blue mussel), *Hyridella menziesii* (freshwater mussel), or *Atrina zelandica* (horse mussel)

pipi means a shellfish of the species *Paphies australis*

Te Mata and Waipatukahu means all those New Zealand fisheries waters enclosed by a line—

- (a) starting at a point on the mean high-water mark on the northern bank of the Ōtaki Creek mouth (at 36°57.743'S and 175°29.464'E); then
- (b) proceeding in a straight line due west to a point 1 nautical mile offshore from the mean high-water mark (at 36°57.743'S and 175°28.205'E); then
- (c) proceeding along a line in a generally southward direction, every point of which is 1 nautical from the mean high-water mark, to a point offshore (at 36°59.619'S and 175°28.857'E); then
- (d) proceeding in a straight line due east to a point on the mean high-water mark on the southern bank of Diehard Stream mouth (at 36°59.619'S and 175°30.198'E); and then
- (f) proceeding in a generally northerly direction along the mean high-water mark to the starting point.

Dated at this day of 2019.

Hon Stuart Nash,
Minister of Fisheries.

Dated at _____ this _____ day of _____ 2019.

Hon Stuart Nash,
Minister of Fisheries.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

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- (f) proceeding in a generally northerly direction along the mean high-water mark to the starting point.

Dated at this day of 2019.

Hon Stuart Nash,
Minister of Fisheries.

Dated at _____ this _____ day of _____ 2019.

Hon Stuart Nash,
Minister of Fisheries.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982