



**To:** Hon David Parker, Minister for Oceans and Fisheries

**From:** Emma Taylor, Director Fisheries Management

## Proposed East Coromandel Temporary Closure

<b>Date</b>	23 August 2021	<b>Reference</b>	B21-0462
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<b>Decision required</b>	<b>Date decision required by</b>
YES <input checked="" type="checkbox"/> / NO <input type="checkbox"/>	When convenient

<b>Recommendations</b>
<p><b>Agree</b> to impose a temporary closure of the scallop fishery in Opito Bay, for a two-year period, pursuant to section 186A of the Fisheries Act 1996.</p> <p><b>OR</b></p> <p><b>Agree</b> to impose a temporary closure of the scallop fishery over fisheries waters extending along the east Coromandel coastline from Anarake Point to Ruahiwihiwi Point for a two-year period, pursuant to section 186A of the Fisheries Act 1996.</p>

<b>Consultation</b>
<p>The Ngāti Hei Trust has requested a two-year temporary closure of the scallop fishery over waters of the eastern Coromandel coast including Opito Bay and extending from Anarake Point to Ruahiwihiwi Point and encompassing offshore waters around the Cuvier, Great Mercury and Alderman Islands.</p> <p>Ngāti Hei, other tangata whenua, commercial fishing interests, recreational fishers, environmental interests, and members of the public with an interest in the species or area were consulted on this request.</p> <p>Letters seeking tangata whenua input on the proposed temporary closure were specifically sent to: Ngāti Hako, Te Patukirikiri, Ngāti Maru, Ngāti Rāhiri Tumutumu, Ngāi Tai Ki Tāmaki, Ngāti Tara Tokanui, Ngāti Tamaterā and Ngāti Whanaunga.</p> <p>2,381 submissions were received on this request. Of these, 2,364 support the closure request, seven were neutral, and ten oppose it.</p>

Contacts for telephone discussion (if required)			
Name	Position	Contact number	First contact
Emma Taylor	Director Fisheries Management	(9)(2)(a)	<input type="checkbox"/>
Blake Abernethy	Team Manager, Spatial Planning and Allocations	(9)(2)(a)	<input checked="" type="checkbox"/>
Tasmin McCormack	Analyst, Spatial Planning and Allocations	(9)(2)(a)	<input type="checkbox"/>

Key messages
The purpose of this paper is to seek your decision regarding a request for a temporary closure of the scallop fishery along the east Coromandel coastline.
In December 2020, Ngāti Hei, placed a traditional rāhui on scallop harvesting over Opito Bay. In February 2021, the Ngāti Hei Trust (the Trust) requested a two-year closure of the scallop fishery over a larger area along the eastern Coromandel coast, including Opito Bay (Appendix One).
The request is for a closure made under section 186A of the Fisheries Act 1996 (the Act). Section 186A empowers the Minister for Oceans and Fisheries to temporarily close an area to fishing for any species, or temporarily restrict or prohibit the use of any fishing method. The closure may be for a period of up to two years.
The area requested by the Trust spans the entire area of Ngāti Hei's rohe moana (2413km <sup>2</sup> ) from Anarake Point in the north (east of Kennedy Bay) to Ruahiwihiwi Point in the south (north of Whangamata) including the waters around Repanga/Cuvier, Ahuahu/Great Mercury, Ohinau, Alderman and Whakahau/Slipper Islands.
This area supports approximately 40 percent of the scallop biomass currently available to commercial fishers of the SCA CS stock, based on June 2021 survey results ( <b>B21-0487</b> refers).
Fisheries New Zealand consulted on the request, and received 2,364 submissions in support, seven neutral and ten opposing the proposed closure. Submissions were sent to the Trust and Coromandel iwi for comment.
Most of those in support were received via a Legasea form submission. Those with a commercial interest in the scallop fishery were generally opposed to the proposed closure.
You have also received a briefing ( <b>B21-0487</b> ) that outlines the status of scallop stocks more generally, the scallop dredging footprint, and provides advice on a range of options for managing scallop fisheries to ensure their long-term sustainability.

## Key messages continued

Fisheries New Zealand considers that, while it is open to you to impose a two-year closure of the scallop fishery across the entire area requested by the Trust, you could also limit the closure to Opito Bay.

If you agree to impose either of these options for a temporary closure, attached for your signature are two *New Zealand Gazette* notices. Fisheries New Zealand will also publish a public notice in the *Waikato Times* and *The Mercury Bay Informer* to notify the public about the closure, email relevant stakeholders, and update the Fisheries New Zealand website. Note that you have considerable discretion in your decision and may impose a closure of any subset of the entire area requested by the Trust.

## Background

### Legislation - Fisheries Act 1996

1. Section 186A(1) of the Act empowers the Minister for Oceans and Fisheries to temporarily close any area of New Zealand fisheries waters (other than South Island fisheries waters) in respect of any species of fish, or temporarily restrict or prohibit the use of any fishing method in respect of the fisheries waters and species of fish. Such a temporary measure may not be in force for more than two years.
2. You may not impose a closure, restriction, or prohibition unless 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 of fish, aquatic life or seaweed in the area subject to the closure, restriction or prohibition (s 186A(2)(a)); or
  - b. recognising a customary fishing practice in that area (s 186A(2)(b)).
3. Note that beyond meeting this threshold, you have considerable discretion to make your decision, and you may wish to consider a range of other factors.
4. Before giving a notice under s 186A(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 local community interests; 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, having particular regard to kaitiakitanga (guardianship).
5. A *Gazette* notice given under s 186A(1) must be publicly notified. Further, a notice issued under s 186A(1) is a disallowable instrument for the purposes of the Legislation Act 2021 and must be presented to the House of Representatives in accordance with that Act.

### *The request*

6. In February 2021, the Trust requested that their rohe moana be closed for two years to the take of scallops under s 186A of the Act. At the same time, Ngāti Hei announced that they would stop issuing authorisations for customary harvest of scallops across their rohe moana.
7. This request followed the placement by Ngāti Hei of a traditional rāhui over Opito Bay in December 2020 after concerns were raised about the declining scallop population in the area.
8. This rāhui applies to all fishers who follow tikanga. Ngāti Hei have not issued any authorisations for customary harvests of scallops from Opito Bay since the rāhui was implemented. Ngāti Hei state that the rāhui is being respected by the local community.
9. Ngāti Hei are also concerned about the potential damage to the benthic environment from scallop dredges. They believe that the decline in quality of the marine environment is inhibiting ability of scallops to spawn and grow.
10. Ngāti Hei's rohe moana was traditionally known for shellfish abundance and the iwi are determined to protect and restore their local kaimoana.

### *The proposed closure area*

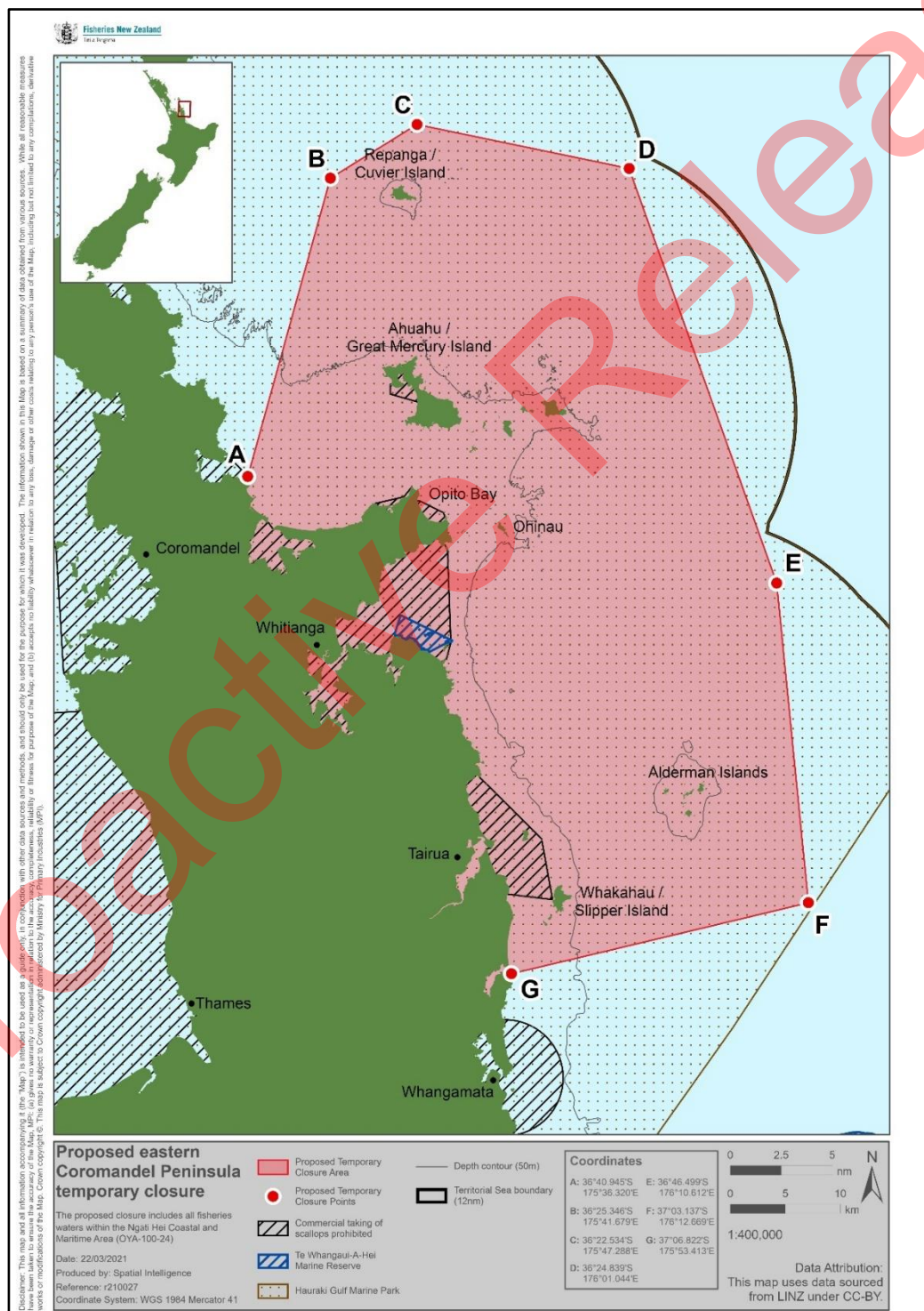
11. The proposed area extends from Anarake Point in the north to Ruahiwihiwi Point in the south and includes Repanga/Cuvier, Ahuahu/Great Mercury, Ohinau, Alderman and Whakahau/Slipper Islands. It lies within Ngāti Hei's Protocol Area.<sup>1</sup>
12. The proposed area covers approximately 2,413 square kilometres (km<sup>2</sup>) (see map below). The scale of this proposed closure under section 186 is unprecedented, although we note it only applies to a single species. The mean size of the six existing temporary closures around New Zealand is approximately 16 km<sup>2</sup> with the largest covering approximately 18.5 km<sup>2</sup>. Five of these closures apply to more than one species.
13. This area supports approximately 40 percent of the scallop biomass currently available to commercial fishers of the SCA CS stock, based on June 2021 survey results (**B21-0487** refers). If the requested closure is imposed, it would essentially eliminate the commercial scallop fishery in the east Coromandel area, and would have a significant impact on commercial fishers currently operating there.
14. There is also significant recreational interest in scallops in the Coromandel. Most recreational take is by snorkel, scuba, or small dredges. The annual recreational allowance is 7.5 tonnes.
15. Scallops are a taonga species to Ngāti Hei. Prior to September 2021 Ngāti Hei kaitiaki issued customary permits to harvest scallops in Opito Bay, and at Ahuahu/Great Mercury Island. The annual customary allowance is 7.5 tonnes.

<sup>1</sup> The Primary Industries Protocol with Ngāti Hei. Ministry for Primary Industries



## Consultation

16. On 23 March 2021, Fisheries New Zealand invited written submissions on the proposed temporary closure and placed a public notice in the *Waikato Times*. This was followed by a notice in *The Mercury Bay Informer* on 30 March 2021. Letters were also sent to 28 stakeholders, and 743 subscribers registered to receive regional recreational fishing news from Fisheries New Zealand were notified. In addition, Fisheries New Zealand published consultation details on its website and social media pages.



**Map: Proposed east Coromandel temporary closure area**

17. In response to public consultation, 2,381 submissions were received, including 2,364 in support, seven neutral and ten opposing the closure request made by the Trust. Submissions are available to view at your request.
18. Those opposed to the proposed closure were mainly commercial scallop fishers. The commercial fishers are concerned that if the whole rohe moana was closed to scallop harvesting, it would make their livelihoods unviable.

#### *Input and participation*

19. Before imposing a temporary closure, you must provide for the input and participation of tangata whenua with a non-commercial interest in the species or the effects of fishing in the area concerned and have particular regard to kaitiakitanga when making your decision.
20. The Act defines kaitiakitanga as “the exercise of guardianship; and, in relation to any fisheries resources, includes the ethic of stewardship based on the nature of the resources, as exercised by the appropriate tangata whenua in accordance with tikanga Māori.”
21. Fisheries New Zealand provided for the input and participation of tangata whenua in the consultation and decision-making processes by discussing the request and proposed consultation details with the Trust and sending a summary of submissions for their comment.
22. In response to the summary of submissions, the Trust stated that:
  - a. they understand many submissions were received in support of this closure, which reflects the efforts of themselves and the local community to bring attention to the state of the stock; and
  - b. they are conscious that the commercial scallop season has started, and hope that you give this matter urgent attention and support their request.
23. As well as discussing the temporary closure request with the Trust, letters were sent to Ngāti Hako, Te Patukirikiri, Ngāti Maru, Ngāti Rāhiri Tumutumu, Ngāi Tai Ki Tāmaki, Ngāti Tara Tokanui, Ngāti Tamaterā and Ngāti Whanaunga to seek their input on this request. A summary of submissions was also sent to the above iwi for their comment. No response was received from any of these iwi.

#### **Assessment**

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24. As noted above, you may only impose a closure if satisfied it will recognise and provide for the use and management practices of tangata whenua in the exercise of non-commercial fishing rights by either:
  - a. improving the availability or size (or both) of a species of fish in the closure area; or
  - b. recognising a customary fishing practice in the area.

25. Note that beyond meeting this threshold, you have considerable discretion to make your decision, and you may wish to consider a range of other factors, including:
  - a. the overall purpose of the Act, which is to provide for the utilisation of fisheries resources while ensuring sustainability; and
  - b. the impacts of a closure on other fishing sectors.

*Exercise of customary fishing rights*

26. The request states that Ngāti Hei's rohe moana was once abundant with shellfish. The periodic washing up of healthy live scallops on beaches would enable easy gathering and provide kai for the community. In recent years fewer scallops have been washed up, which in Ngāti Hei's view indicates a decline in the stock. The purpose of this request is to restore Ngāti Hei's 'pataka kai' (pantry) to its former abundance so future generations can gather scallops again.

*Effect of temporary closure on size and availability of scallops*

27. There is considerable uncertainty about the extent to which closing the scallop fishery for a two-year period would improve the size or availability of scallops across the area proposed by Ngāti Hei and shown in the map above. However, it would be expected to have a positive impact on the fishery.
28. A preliminary assessment of 2021 survey results of recreational and commercial scallop beds indicates a significant decline in almost all of the major scallop beds across the SCA CS fishery (B21-0487 refers).
29. The previous survey of commercially fished beds occurred in 2012. A comparison between the 2012 and 2021 estimates of scallop biomass across the same beds indicates an overall decline of approximately 77 percent. Most of this (67 percent) is attributable to the decline of a large bed in the Hauraki Gulf.
30. The previous survey of recreationally fished beds within the SCA CS fishery occurred in 2010. A comparison between the 2010 and 2021 results also revealed an overall decline of scallop biomass.
31. Within the proposed temporary closure area, declines in scallop biomass were observed at both commercially fished and recreationally fished beds near Great Mercury Island. There was a slight increase in scallop biomass observed at Opito Bay.
32. Reasons for the observed declines in scallop biomass over most scallop beds in the SCA CS fishery are uncertain but are unlikely to be solely attributable to commercial dredging. Areas in which commercial fishing is prohibited have also seen steep declines in biomass between 2010 and 2021, and in these areas recreational harvest, sedimentation, and disease may be contributing factors.
33. Imposing a temporary closure over the proposed area, as requested by the Trust, would reduce commercial, recreational and customary fishing pressure on scallop beds around the Great Mercury Islands and adjacent coastal waters of the Coromandel Peninsula that have experienced steep declines in scallop biomass over the past decade.

34. If you are satisfied that taking this action would improve the availability of scallops for customary purposes, Fisheries New Zealand considers that it is open to you to impose the temporary closure over the entire area requested by the Trust.
35. B21-0487 provides you with Fisheries New Zealand's initial assessment of options for adjusting management settings for the Coromandel scallop fishery under section 11 of the Act.

#### *Customary fishing practices of Ngāti Hei in the area*

36. In the context of the kaupapa being advanced by Ngāti Hei to restore their customary fishery for scallops, Ngāti Hei have demonstrated their kaitiakitanga by placing a traditional rāhui over the Opito Bay scallop bed in December 2020.
37. A traditional rāhui is a restriction implemented by kaitiaki that prohibits the harvesting of resources in a particular area by those people who recognise and adhere to tikanga Māori. Fisheries New Zealand recognises and supports this customary management practice by raising awareness of the existence of traditional rāhui, and encouraging voluntary compliance with them.<sup>2</sup>
38. Feedback from Ngāti Hei indicates that the rāhui has been respected by the local community.
39. While the consultation undertaken with tangata whenua and interested parties was on the wider area, we consider it is sufficient to support your decision on either of these options, given that:
- Opito Bay is within the proposed area requested by the Trust for a temporary closure;
  - many submissions focused on the management of the scallop population in Opito Bay; or
  - you could also choose to impose a closure over any subset of the entire area requested by the Trust.

#### **Conclusions**

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40. Fisheries New Zealand considers imposing a temporary closure over the Opito Bay scallop fishery, as per s 186(2)(b) of the Act, would recognise the customary fishing practice of a traditional rāhui placed on this area by Ngāti Hei.
41. While the Trust's request for a temporary closure of scallop fishing extends across Ngāti Hei's entire rohe moana, over which the iwi assert mana moana (traditional authority) as tangata whenua, Opito Bay has been the key focus for their efforts to safeguard their customary scallop fishery. However, it would provide greater recognition of the mana of Ngāti Hei if you supported their request to close their entire rohe moana to scallop harvesting.
42. Fisheries New Zealand considers that it is open to you to impose a temporary closure over the wider area, as requested by the Trust, if you are satisfied that doing so would improve the availability of scallops to support the use and management practices of tangata whenua (s 186A(2)(a) of the Act).

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<sup>2</sup> The Primary Industries Protocol with Ngāti Hei. Ministry for Primary Industries.



43. The significance of both commercial and recreational fishing pressure as drivers of scallop decline are difficult to assess relative to other factors such as sedimentation and disease outbreaks, but reduction in harvest by these sectors is likely to improve the availability of scallops for customary purposes.
44. The scale of the requested closure is unprecedented, and it would have a significant impact on commercial operators who fish in the area.

### Compliance

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45. If you agree to impose a temporary closure, information to promote public awareness of the closure will be developed and placed on signage at site and on the Ministry for Primary Industries website. Ministry for Primary Industries Fishery Officers will enforce the closure.

### Next Steps

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46. Fisheries New Zealand recommends you either:
  - a. approve a two-year temporary closure of the scallop fishery in Opito Bay to recognise the traditional rāhui that Ngāti Hei have placed over the bay; or
  - b. approve the request as received on the basis that doing so will provide for the use and management practices of Ngāti Hei by improving the availability of scallops in the proposed area.
47. If you agree to impose either of these temporary closures, attached for your signature are two *New Zealand Gazette* notices. Only one notice is required to be signed. The notice comes into force as soon as you sign it. Fisheries New Zealand will publish the notice in the *Gazette* to give effect to your decision.
48. Fisheries New Zealand will inform the public about the closure by organising publication of the *Gazette* notice, a public notice in the *Waikato Times* and *The Mercury Bay Informer*, emailing relevant stakeholders, developing signage and updating the Fisheries New Zealand website and social media pages.

## Recommendations

49. Fisheries New Zealand recommends that you:

- a) **Note** the Ngāti Hei Trust has requested a temporary closure to the harvest of scallops along the east Coromandel coastline across the area which Ngāti Hei claims as their rohe moana; and that consultation, and input and participation prerequisites for imposing a temporary closure have been met.

NOTED

- b) (i) **Agree** to impose a temporary closure to the take of scallops for a two-year period, in Opito Bay, pursuant to section 186A of the Fisheries Act 1996, to recognise and make provision for the use and management practices of Ngāti Hei in the exercise of their non-commercial fishing rights by recognising a customary fishing practice.

YES / NO

OR

- b) (ii) **Agree** to impose a temporary closure to the take of scallops for a two-year period, across all of Ngāti Hei's rohe moana, pursuant to section 186A of the Fisheries Act 1996, to recognise and make provision for the use and management practices of Ngāti Hei by improving the availability of scallops in this area.

YES / NO

50. If you agree to impose a temporary closure:

- a) **Agree** to sign one of the two attached *New Zealand Gazette* notices which gives effect to your decision; and

YES / NO

- b) **Note** that Fisheries New Zealand will publish a notice in the *Waikato Times* and *The Mercury Bay Informer* to inform the public about the closure. Fisheries New Zealand will also publish information on the Fisheries New Zealand website.

NOTED

Emma Taylor  
Director Fisheries Management  
Fisheries New Zealand

Hon David Parker  
Minister for Oceans and Fisheries

/ / 2021

Minister's comments

**Ngāti Hei Trust**

Ko Te Ra Matiti Marae

14a Wharekaho Road,

Whitianga 3592,

Ph (9)(2)(a) [REDACTED]



10 February 2021

**Request for Rāhui to be enforced under section 186A**

Tena koe E Te Minita,

On behalf of Ngāti Hei ki Wharekaho, I present this letter to the Minister of Oceans and Fisheries, Hon David Parker for urgent action. In December 2020 we applied a rāhui to stop the harvest of scallops from Opito Bay, Coromandel. We are now requesting a section 186A closure for a minimum of two years to prohibit all take of scallops (tipa) within the entirety of our rohe, which extends out to the Mercury Bay Islands, and stretches from Whangapoua to Onemana on eastern Coromandel. The temporary closure under s186A of the Fisheries Act will provide statutory support for our customary rāhui. We ask you to please refer to Appendix 1.

We request the temporary closure to apply to scallops as we hear from communities along the coastline of our rohe that they have been concerned about the decline of scallop populations for years. Towns along the Eastern Coromandel are close to the coastline so scallop harvesting is a popular means to gather kaimoana.

We are also concerned around the unconstrained harvest of and overfishing of scallops, especially when environmentally poor fishing methods such as dredging are used. Overfishing, destructive fishing methods, and continuous decline in quality of the marine environment means scallops are not given sufficient room to spawn and grow.

We have sent two letters to you asking for your support for our efforts in addressing scallop depletion on the eastern Coromandel Peninsula. The letters were sent on 2 December 2020 and 26 January 2021. We have received an acknowledgement from your office, but no substantive response to our requests has been received from you.

**Rāhui and Voluntary Ban:**

On Thursday 17 December 2020, Ngāti Hei placed the customary tikanga practice of a rāhui over Opito Bay, which is a part of our rohe. The rāhui applies to the inshore area of Opito Bay. A voluntary ban was also placed on scallop harvesting in Opito Bay, which applies to recreational fishers and no customary permits for scallop harvesting have been issued by Ngāti Hei.

The voluntary ban is a result of successful community coordination and action, led by Ngāti Hei and supported by Opito Bay Ratepayers Association, New Zealand Sports Fishing Council, LegaSea, New Zealand Underwater Association, Mercury Bay Game Fishing Club, Tairua-Pauanui Sports Fishing Club, and Whangamata Ocean Sports Club. We have been running meetings and creating plans with these communities since October 2020, holding three meetings with all above stakeholders present until the rāhui and voluntary ban were implemented on 17 December 2020.

The voluntary ban and rāhui are reported to have been well respected by recreational fishers and the general public with very few sightings of any scallop harvesting in Opito Bay.

In addition, the community invested its resources to distribute information about the rāhui and voluntary ban through local media and communities in anticipation of the expected influx of holiday makers arriving over the summer to the eastern Coromandel Peninsula. The Coromandel area is estimated to increase by [over 100,000 people](#) during the summer. This is the primary reason we chose the summer to hold a voluntary ban on scallop harvesting, as well



as these months being peak in the scallop harvesting season. The overwhelming support and aid surrounding the rāhui and voluntary ban stems from a collective understanding that scallop stocks in eastern Coromandel have been declining for several years.

Urgent action is required before scallop beds become so diminished, that generations yet unborn will not even know the area was once not so long ago abundant with scallops.

Our rohe was traditionally known for shellfish abundance, and we as a people are determined not to fail as kaitiaki of our mātaihai. Ngāti Hei and the above named communities are committed to placing a long-term fisheries management plan around shellfish species in order for stocks to continuously self-sustain after the initial section 186A 2-year temporary closure. During this time we expect to have conversations with our communities about what controls they may want to have in place after the rāhui. For example, future controls could be no dredging, hand gathering and diving only for scallops.

**Research:**

The day we declared the rāhui we also announced the commencement of a citizen-science based scallop abundance dive survey. This is currently underway to establish existing scallop numbers in Opito Bay. Research results will be used in a framework for further fisheries management led by Ngāti Hei. The dive survey was coordinated by Ngāti Hei, alongside DiveZone Whitianga and (9)(2)(a) a scientist at Toi Ohomai Institute of Technology, and supported by Opito Bay Ratepayers Association, New Zealand Sports Fishing Council, LegaSea, New Zealand Underwater Association, Mercury Bay Game Fishing Club, Tairua-Pauanui Sports Fishing Club, and Whangamata Ocean Sports Club. We chose to do a dive-based survey to count scallops over a dredge survey, as we do not support methods that wreak havoc on seafloor habitats and do not want to encourage dredging use for scallop harvesting. We understand NIWA has been contracted by Fisheries New Zealand to also hold a scallop stock assessment survey mid-way through 2021. The issue of disappearing scallop numbers has been known for

years and we are shocked that FNZ has only now just scheduled their next scallop stock abundance survey for this year, a gap of 11 years since the 2009/10 survey. We have decided to take the matter into our own hands after a consistent lack of effort and energy by FNZ to reassess the obviously declining fishery.

#### **Ngāti Hei and the Mercury Bay Area:**

Ngāti Hei has lived at Te Whanganui O Hei - The Great Bay of Hei, our ancestral home, since time immemorial. In Arawa tradition, Hei is the eponymous ancestor of the people known as Ngāti Hei of Hauraki. Hei was a son of Atuamatua, brother of Houmaitawhiti, father of Waitaha, and descendant of the legendary Te Arawa demigod Pūhaorangi. The ancient dominions of Hei spread North to Whangarei through his son Tuhukea and south to Te Waipounamu through another of his sons Waitaha, then inland to as far as Pirongia. Ngāti Hei's coastal areas have been our pataka kai. We have fished and travelled through these waters for generations.

#### **Scallops:**

Our rohe was once abundant with shellfish, and our main method of gathering scallops was to await a wash up on the beach - regarded as a gift from Tangaroa, god of the sea and ancestor of fish. Thousands of scallops would wash up on beaches, enabling us to both easily hand gather scallops and leave some for the seabirds, which we regard as a taonga and a bridge between Tangaroa, and Ranginui, the sky father. In recent years we have experienced fewer scallop wash ups along the entire coastline, with only a couple in the past decade involving much smaller numbers than expected. For us, this indicates declining scallop populations.

People have become exploitative, and no longer recognise they have to earn the right to eat Tangaroa's mokopuna. We hope one day soon future generations of Ngāti Hei will be able to hand gather scallops once again.

**We request:**

1. Ministerial support for our rāhui banning all scallop harvesting from Opito Bay.
2. A 2-year temporary closure to the harvest of scallops from within our rohe, under section 186A of the Fisheries Act 1996.
3. Access to the upcoming research by Fisheries New Zealand and its contractors in determining stock abundance in the Coromandel scallop fishery (SCA CS).

**Please do not hesitate to contact me in regard to this correspondence.**

**Mauri ora,**

**Joe Davis**

**Joe Davis MNZM**

Ngāti Hei Trust

Ko Te Ra Matiti Marae

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Proactive Release



# Fisheries (East Coromandel Temporary Closure) Notice 2021 (MPI 1370)

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

## Notice

### 1 Title

This notice is the Fisheries (East Coromandel Temporary Closure) Notice 2021.

### 2 Commencement

This notice comes into force on **XX September 2021**.

### 3 Revocation of this notice

This notice is revoked on the close of XX September **2023**.

### 4 East Coromandel closed in respect of scallops

(1) A person must not take scallops from the eastern Coromandel closure area while this notice is in force. (2) In this clause -

**scallops** - means the shellfish of the species *Pectinidae*

**East Coromandel** means all those New Zealand fisheries waters enclosed by a line –

- a. starting at a point on the mean high-water mark at the northernmost extremity of Anarake Point (at 36°40.945'S and 175°36.320'E); then
- b. proceeding in a straight line in an approximately north north-easterly direction to a point offshore (near Repanga/Cuvier Island) at 36°25.346'S and 175°41.679'E; then
- c. proceeding in a straight line in an approximately north-easterly direction to a point offshore (near Repanga/Cuvier Island) at 36°22.534'S and 175°47.288'E; then
- d. proceeding in a straight line in an approximately east south-easterly direction to a point offshore at 36°24.839'S and 176°01.044'E; then
- e. proceeding in a straight line in an approximately south south-easterly direction to a point offshore at 36°46.499'S and 176°10.612'E; then
- f. proceeding in a straight line in an approximately southerly direction to a point offshore (approximately south-east of the Alderman Islands) at 37°03.137'S and 176°12.669'E; then
- g. proceeding in a straight line in a west south-westerly direction to a point on the mean high-water mark at Ruahiwihiwi Point at 37°06.822'S and 175°53.413'E; then
- h. proceeding along the mean high-water mark to the starting point.

Dated at Wellington this                      day of                      2021.

Hon DAVID PARKER,  
Minister for Oceans and Fisheries.

Proactive Release

## Fisheries (Opito Bay Temporary Closure) Notice 2021 (MPI 1371)

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

### Notice

#### 5 Title

This notice is the Fisheries (Opito Bay Temporary Closure) Notice 2021.

#### 6 Commencement

This notice comes into force on **XX September 2021**.

#### 7 Revocation of this notice

This notice is revoked on the close of XX September **2023**.

#### 8 Opito Bay closed in respect of scallops

(1) A person must not take scallops from the eastern Coromandel closure area while this notice is in force. (2) In this clause -

**scallops** - means the shellfish of the species *Pectinidae*

**Opito Bay** means all those New Zealand fisheries waters enclosed by a line -

- a. beginning at the mean high-water mark at the northernmost point of Opito Point at 36°42.999'S and 175°49.079'E;
- b. then in a straight line in a generally northerly direction to a position at the westernmost point of Rabbit Island at 36°42.832'S and 175°49.006'E;
- c. then in a straight line in a generally north-westerly direction to the Mahinapua Rocks at 36°42.222'S and 175°47.481'E;
- d. then in a straight line in a due westerly direction to the mean high-water mark at Opito Beach at 36°42.222'S and 175°47.312'E;
- e. then following the mean high-water mark in a generally south-easterly direction to the point of commencement.

Dated at Wellington this            day of            2021.

Hon DAVID PARKER,  
Minister for Oceans and Fisheries.