

## **Marine Mammals Protection (West Coast North Island Sanctuary) Amendment Notice 2013**

Pursuant to section 22 of the Marine Mammals Protection Act 1978, the Minister of Conservation gives the following notice, and the Minister of Energy and Resources, the Minister for Primary Industries, and the Minister of Transport consent to the declaration in clause 4(2) of the principal notice.

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### **Notice**

- 1 Title**  
This notice is the Marine Mammals Protection (West Coast North Island Sanctuary) Amendment Notice 2013.
  
- 2 Commencement**  
This notice comes into force on the 28th day after the date of its notification in the *Gazette*.

**Marine Mammals Protection (West Coast  
North Island Sanctuary) Amendment  
Notice 2013**

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cl 3

**3 Principal notice**

This notice amends the Marine Mammals Protection (West Coast North Island Sanctuary) Notice 2008 (the **principal notice**).

**4 New clauses 7 and 8 inserted**

After clause 6, insert:

**“7 Prohibition on commercial and recreational set net fishing**

“(1) No person may carry out commercial or recreational set net fishing in the area of the West Coast North Island Marine Mammal Sanctuary described in Schedule 4 and shown on the map in that schedule as the area subject to a commercial and recreational set net fishing prohibition.

“(2) The map set out in Schedule 4 is indicative only, and if there is a conflict between it (or the map of the area available for inspection on the Internet site of the Department of Conservation) and the verbal description in Schedule 4, the verbal description prevails.

**“8 Status of notice under Legislation Act 2012**

This notice is a legislative instrument and a disallowable instrument for the purposes of the Legislation Act 2012 and must be presented to the House of Representatives under section 41 of that Act.”

**5 New Schedule 4 inserted**

After Schedule 3, insert the Schedule 4 set out in the Schedule of this notice.

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**Schedule**

cl 5

**New Schedule 4 inserted**

**Schedule 4**

cl 7

**Set net fishing prohibition area**

All the areas of the sea enclosed by a line—

- (a) commencing at a point 2 nautical miles from mean high-water springs (approximately 174°4.96'E and 39°0.43'S)<sup>1</sup> that is the continuation of a line extending at 331° from the mouth of the Waiwhakaiho River, Taranaki (approximately 174°6.27'E and 39°2.21'S); and
- (b) proceeding along that line to a point 7 nautical miles (approximately 174°1.78'E and 38°56.06'S) from mean high-water springs; and
- (c) proceeding generally north-east along a line 7 nautical miles from mean high-water springs to the point with the co-ordinates 174°23.23'E and 38°49.23'S; and
- (d) proceeding generally south-east in a straight line to the point with the co-ordinates 174°28.27'E and 38°52.23'S; and
- (e) proceeding along a line 2 nautical miles from mean high-water springs back to the point of commencement.

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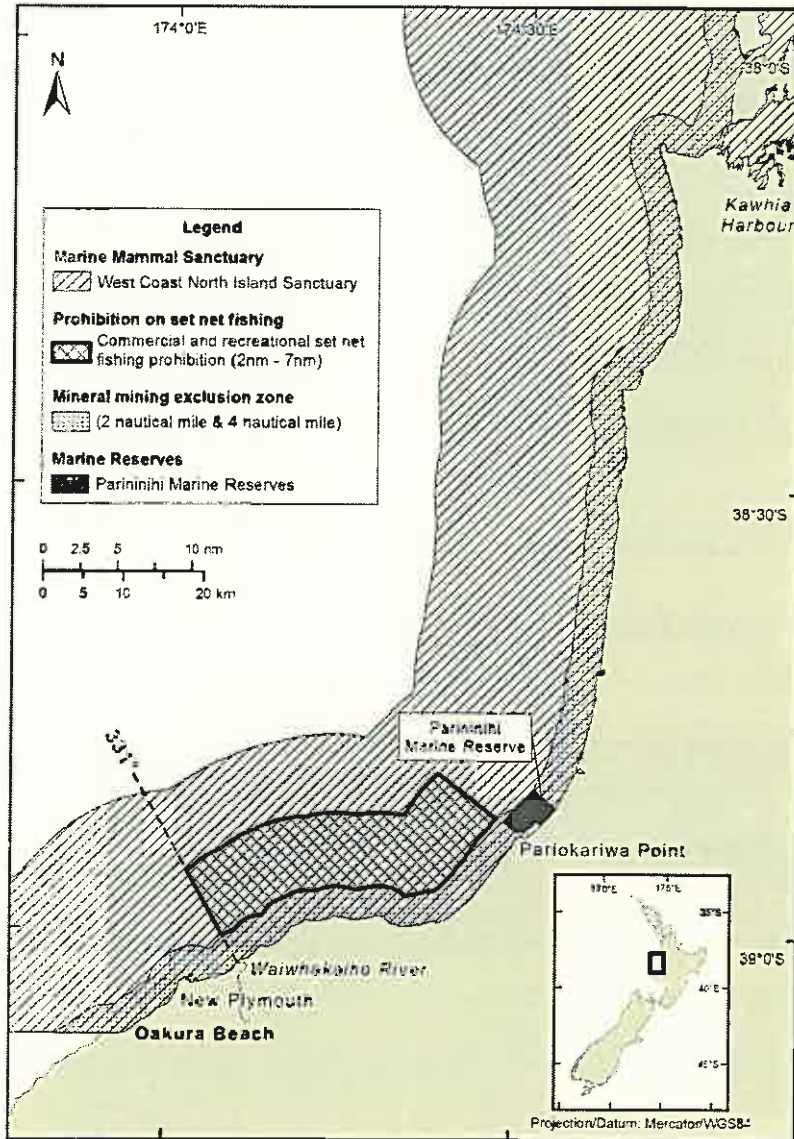
<sup>1</sup> All co-ordinates are expressed in terms of NZTM 2000.

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Schedule

Schedule 4—continued

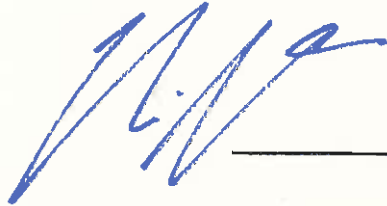
Map of sanctuary



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Explanatory note

Dated at Wellington this 27<sup>th</sup> day of November 2013.



Minister of Conservation.

### Explanatory note

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice, which comes into force on the 28th day after the date of its notification in the *Gazette*,—

- inserts a *new clause 7* in the Marine Mammals Protection (West Coast North Island Sanctuary) Notice 2008 (the **principal notice**) to prohibit all commercial and recreational set net fishing from the area of the sanctuary defined in *new Schedule 4*, an area that encompasses the location of 4 sightings of Maui's dolphins that have been made further than 2 nautical miles offshore in the Taranaki region; and
- inserts a *new clause 8* in the principal notice that states that the notice is a legislative instrument and a disallowable instrument for the purposes of the Legislation Act 2012; and
- inserts a *new Schedule 4* that defines the area of the prohibition on commercial and recreational set net fishing, together with a map showing the location of that area within the sanctuary.

The intention to make this variation to the conditions applying within part of the sanctuary was notified in the *Gazette* on 12 September 2013.

This variation to the conditions applying within part of the sanctuary is made with the consent of the Minister of Energy and Resources, the Minister for Primary Industries, and the Minister of Transport.

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Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*:

This notice is administered by the Department of Conservation.

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