

7 MAY 2009

NEW ZEALAND GAZETTE, No. 62

1413

Dated at Wellington this 29th day of April 2009.

BEVERLEY PITKETHLEY, Group Manager, Schools and Student Support.

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Fisheries

Fisheries (Kaimoana Customary Fishing) Regulations 1998

Fisheries (Kaimoana Customary Fishing) Notice (No. 1) 2009 (No. F482)

Pursuant to Regulation 9 of the Fisheries (Kaimoana Customary Fishing) Regulations 1998, the Programme Manager (Deed of Settlement Implementation Programme) at the Ministry of Fisheries (acting pursuant to a delegated authority in accordance with section 41 of the State Sector Act 1988) gives the following notice.

Notice

1. Title and commencement—(1) This notice may be cited as the Fisheries (Kaimoana Customary Fishing) Notice (No. 1) 2009.

(2) This notice shall come into effect on 8 May 2009.

2. Interpretation—In this notice:

- (a) “customary food-gathering” has the same meaning as defined in Regulation 2 of the Fisheries (Kaimoana Customary Fishing) Regulations 1998.
- (b) “Tangata Kaitiaki” are local dialect words that have the same meaning as “Tangata Kaitiaki/Tiaki”, a term that is defined in Regulation 2 of the Fisheries (Kaimoana Customary Fishing) Regulations 1998.
- (c) “Tangata Kaitiaki” means the person or persons appointed under Regulation 9 of the Fisheries (Kaimoana Customary Fishing) Regulations 1998 for the management of customary food-gathering within the area/rohe moana.
- (d) “area/rohe moana” means the area described by a line commencing:
 - (i) at a point on the coastline at the eastern end of Andersons Cove, Bream Tail (36°02.70'S; 174°34.3'E); then
 - (ii) proceeding generally north-west following the mean high-water mark along Bream Bay and Whangarei Harbour to a point on the coastline at the intersection of State Highway 1 and Springfield Road (35°50.19'S; 174°19.36'E); then
 - (iii) proceeding generally north-east in a straight line to a point (35°49.80'S; 174°20.50'E); then
 - (iv) proceeding generally north-east in a straight line to navigational light “P13” (35°49.50'S; 174°20.80'E); then
 - (v) proceeding generally north in a straight line to navigational light “P9” (35°48.80'S; 174°21.10'E); then
 - (vi) proceeding generally north in a straight line to navigational light “P8” (35°48.10'S; 174°20.90'E); then

- (vii) proceeding due east to a point (35°48.10'S; 174°22.10'E); then
- (viii) proceeding generally south-east in a straight line to a point (35°48.50'S; 174°23.20'E); then
- (ix) proceeding generally east in a straight line to navigational light “S3” (35°48.80'S; 174°27.10'E); then
- (x) proceeding generally south-east in a straight line to navigational light “E of One Tree Point” (35°49.20'S; 174°27.80'E); then
- (xi) proceeding generally south-east in a straight line to an unnamed navigational light (35°49.80'S; 174°28.70'E); then
- (xii) proceeding generally east in a straight line to navigational light “Passage Islet” (35°49.90'S; 174°29.80'E); then
- (xiii) proceeding generally east in a straight line to a point (35°50.00'S; 174°30.20'E); then
- (xiv) proceeding generally south in a straight line to a point (35°56.60'S; 174°30.40'E); then
- (xv) proceeding generally south-east in a straight line to the point of commencement.

The geographical coordinates named are in terms of the WGS84 datum.

3. Nomination of Tangata Kaitiaki—The Patuharakeke Te Iwi Trust Board and the Ngāti Kahu o Torongare/Te Parawhau Hapū/Iwi Trust Board have nominated the following as Tangata Kaitiaki for managing customary food-gathering within the area/rohe moana:

- (a) Teni Solomon and Ricky Solomon for Ngāti Tu
- (b) Waimarie Bruce and Wiremu Pohe for Ngāti Kahu
- (c) Tapa George and Damon George for Te Parawhau
- (d) Hanna Carrington, Crete Pirihi Milner, David Milner, Reece Newton, Grant Pirihi, Greg Smith and Shane Watson for Patuharakeke.

4. Appointment of Tangata Kaitiaki—On 28 April 2009, the Minister of Fisheries confirmed, under Regulation 9(1) of the Fisheries (Kaimoana Customary Fishing) Regulations 1998, the appointment of Waimarie Bruce, Hanna Carrington, Damon George, Tapa George, Crete Pirihi Milner, David Milner, Reece Newton, Grant Pirihi, Wiremu Pohe, Greg Smith, Teni Solomon, Ricky Solomon and Shane Watson as Tangata Kaitiaki for managing customary food-gathering within the area/rohe moana.

5. Confirmation of tangata whenua—Patuharakeke is confirmed as the tangata whenua of the area/rohe moana to which the appointment of Tangata Kaitiaki relates.

6. Power to authorise the taking of fisheries resources for customary food-gathering—A Tangata Kaitiaki may authorise any individual to take fisheries resources managed under the Fisheries Act 1996, other than those resources that are taken in fresh water, for customary food-gathering purposes from within the whole or any part of the area/rohe moana. No customary food-gathering of fisheries resources may take place in the area/rohe moana without an authorisation from a Tangata Kaitiaki.

Dated at Nelson this 5th day of May 2009.

RAYMOND NECKLEN, Programme Manager (Deed of Settlement Implementation Programme), Ministry of Fisheries.

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