Ministry for Primary Industries
Manatū Ahu Matua

Proposed closures to the recreational harvesting of cockle and pipi at Ngunguru and Whangateau

MPI Discussion Paper No: 2015/##

ISBN No: (contact Publications team)
ISSN No:

October 2015

New Zealand Government

Growing and Protecting New Zealand

Disclaimer

Every effort has been made to ensure the information in this document is accurate. The Ministry for Primary Industries (MPI) does not accept any responsibility or liability whatsoever for any error of fact, omission, interpretation or opinion that may be present, however it may have occurred.

Requests for further copies should be directed to:

Publications Logistics Officer
Ministry for Primary Industries
PO Box 2526
WELLINGTON 6140

Email: brand@mpi.govt.nz
Telephone: 0800 00 83 33
Facsimile: 04-894 0300

This publication is also available on the Ministry for Primary Industries website at http://www.mpi.govt.nz/news-resources/publications.aspx

Deadline for submissions

MPI welcomes written submissions on the proposals contained in this consultation paper. All written submissions must be received no later than 5 pm on xx November 2015.

Written submissions should be sent directly to:

Inshore Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011

Or emailed to FMsubmissions@mpi.govt.nz

OFFICIAL INFORMATION ACT 1982

All submissions are subject to the Official Information Act 1982 (OIA) and can be released (along with the personal details of the submitter) under the OIA. If you have specific reasons for wanting to have (any part of) your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment under the OIA.

Contents

Page

Figure 1: Location of Ngunguru Estuary and Whangateau Harbour

1 Introduction

This consultation paper outlines sustainability concerns for cockles and pipi at two locations, Ngunguru Estuary and Whangateau Harbour (Figure 1) and seeks tangata whenua and stakeholder views on proposals to close these sites to recreational harvest.

2 Context

Cockle and pipi are a significant cultural resource in a number of bays and estuaries in the upper North Island and are also harvested recreationally. Both species are important local resources and often considered indicators of environmental health. Commercial harvesting is prohibited in most of the region including at both Ngunguru and Whangateau.

A programme of intertidal shellfish surveys has been in place across various locations in the upper North Island since 1991 and provides a time series to monitor changes in cockle and pipi populations. Each year the Ministry for Primary Industries (MPI) selects sites to ensure coverage across the region and to respond to concerns that have been identified by tangata whenua and communities. In the case of Whangateau, surveys have been prioritised biannually to monitor the response to a closure to recreational harvest put in place in 2010. Ngunguru has not been subject to a closure before and was prioritised for survey in 2015 following concerns from tangata whenua and the local community.

Best available information for each location, including the results from those surveys is detailed in the respective parts of this consultation paper.

2.1 RECREATIONAL HARVEST OF COCKLES AND PIPI IN THE UPPER NORTH ISLAND

Limited information is available on the level of recreational harvest of cockle and pipi and none is available specific to the Ngunguru or Whangateau sites.

The 2011/12 National Panel Survey[1] estimated 299,765 cockle and 361,303 pipi were harvested across the broader Fisheries Management Area 1 (East Coast from North Cape to Cape Runaway) that year. However, MPI considers intertidal shellfish harvesting is not well represented in such surveys given the sporadic and dispersed nature of the activity and these may be underestimates. In addition, Whangateau Harbour, which has the largest cockle bed in the region, was closed to recreational fishing at the time of the survey.

2.2 MANAGEMENT APPROACH

A number of shellfish beds have previously been closed to recreational harvest under section 11 of the Fisheries Act 1996 in order to reduce harvest pressure on declining populations. Fishing pressure is likely to have increased with increasing population, however, the reasons for declining populations are likely to be varied and extend beyond fishing. Intertidal shellfish resources fluctuate naturally, and are susceptible to environmental degradation[2]. Potential stressors, other than human harvesting, to infaunal bivalves include:

- anthropogenic contaminants such as organotin compounds and biocides (such as those associated with marine antifoulants), heavy metals, organochlorines and polyaromatic hydrocarbons;
- changes in the marine environment associated with human activity, such as increased sediment loading, nutrient enrichment and climate change; and
- natural phenomena of an extraordinary nature such as harmful algal blooms, heat stress and diseases/parasite events.

MPI considers that it is important to address impacts on shellfish resources in an integrated and strategic way across the region and is intending to further develop its existing approach for intertidal shellfish in the upper North Island in consultation with tangata whenua and communities in 2016.

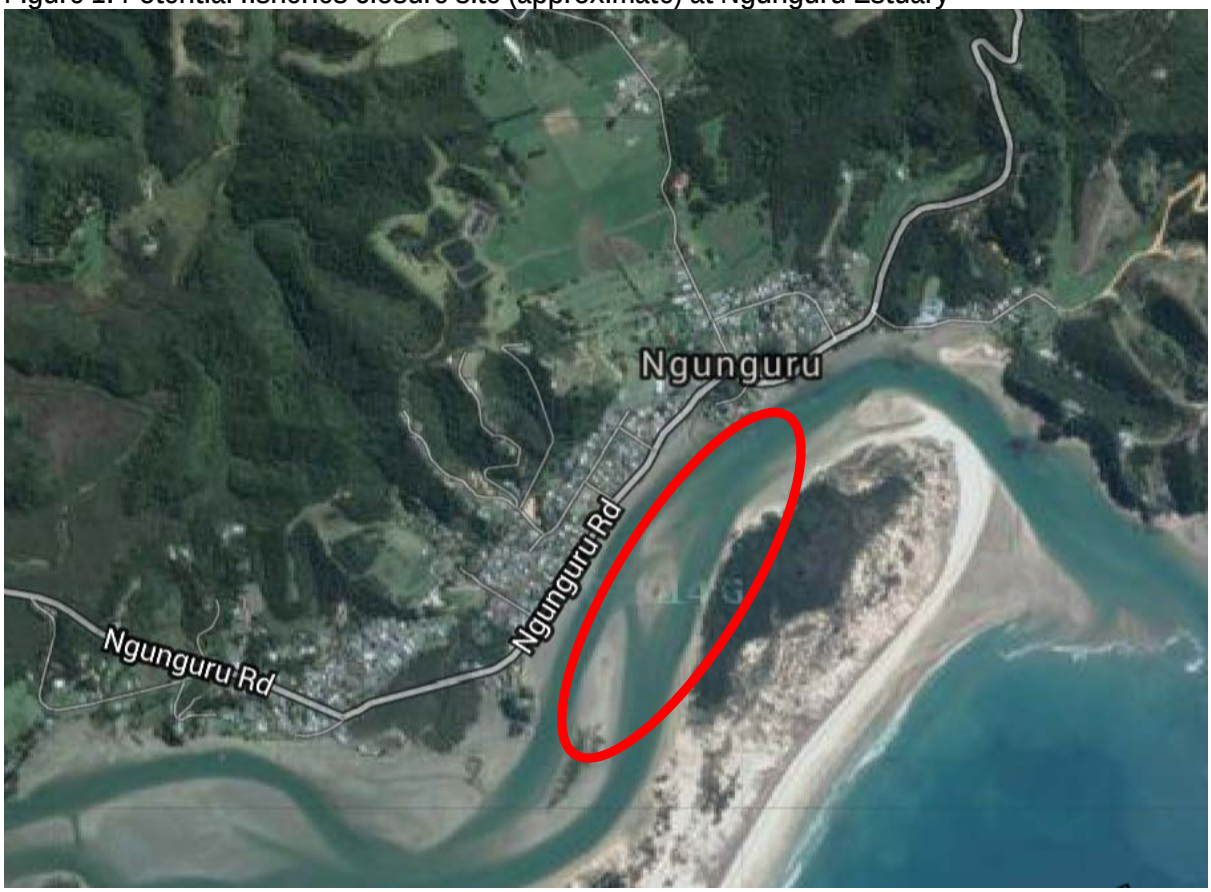
In the interim, MPI considers it important to consider whether the closure at Whangateau needs to be extended and whether Ngunguru needs to be closed to recreational harvest. While fishing may not be the primary cause for the decline in shellfish, closures are a precautionary tool to ensure fishing does not exacerbate a decline, or affect recovery. There are a range of sustainability tools available under the Act that will be explored as part of the longer-term strategy, however, relative to other options such as specific reduced bag limits or seasonal closures for these areas, a closure for cockle and pipi is simple to understand, enforce and provides certainty that fishing is not exacerbating sustainability concerns. MPI notes that the two areas are relatively small and that other areas in the region remain open to cockle and pipi harvesting.

The remainder of this document provides specific analysis of proposals at Ngunguru and Whangateau.

[1] The 2011/12 National Panel Survey is available at http://fs.fish.govt.nz/Page.aspx?pk=113&dk=23718

[2] Grant, C.M.; Hay, B.E. (2003). A review of issues related to depletion of populations of selected infaunal bivalve species in the Hauraki Gulf Marine Park

Figure 1: Potential fisheries closure site (approximate) at Ngunguru Estuary



1 Purpose

Ngunguru is a coastal settlement approximately 26 km North East of Whangarei. Tangata whenua and local communities reported concerns about the pipi beds at Ngunguru Estuary in 2014, supporting the prioritisation for a survey of the site in early 2015. The survey included pipis and cockles and revealed the density of both large pipi and large cockle has declined. Tangata whenua and stakeholder views are sought on whether to put a closure in place to harvesting of cockles and pipis at Ngunguru under section 11 of the Act.

2 Background Information

Cockle and pipi at Ngunguru Estuary have been surveyed four times between 2004 and 2015.

Figures 2 and 3 shows the areas sampled (stratum) in 2015, after consultation with the community. The circles depict density of pipi and cockle respectively in the samples.

Figure 2: Pipi survey stratum at Ngunguru Estuary (circles show density per surface area of 0.035 m^2).

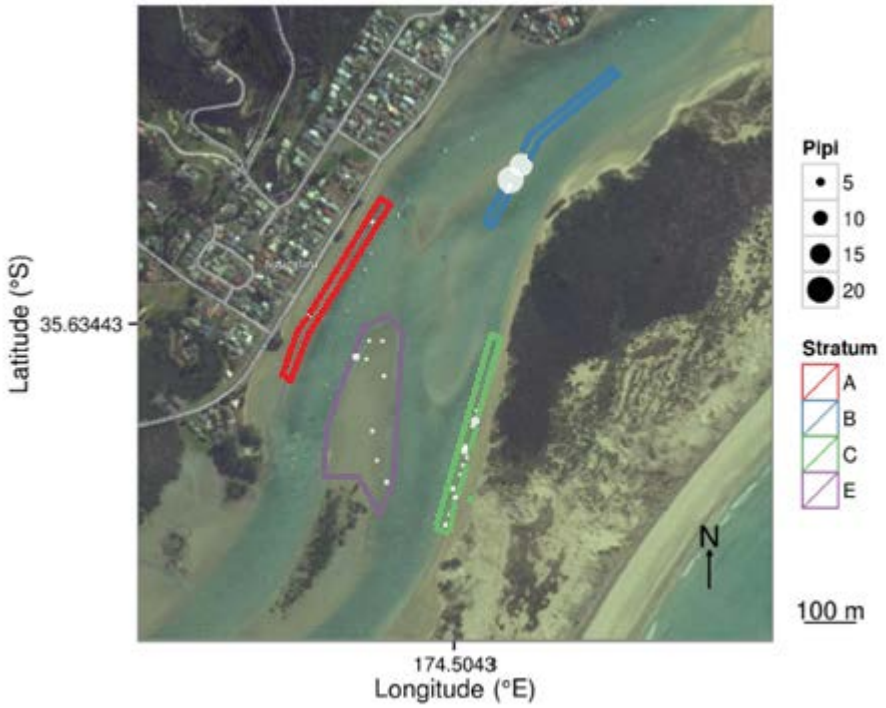
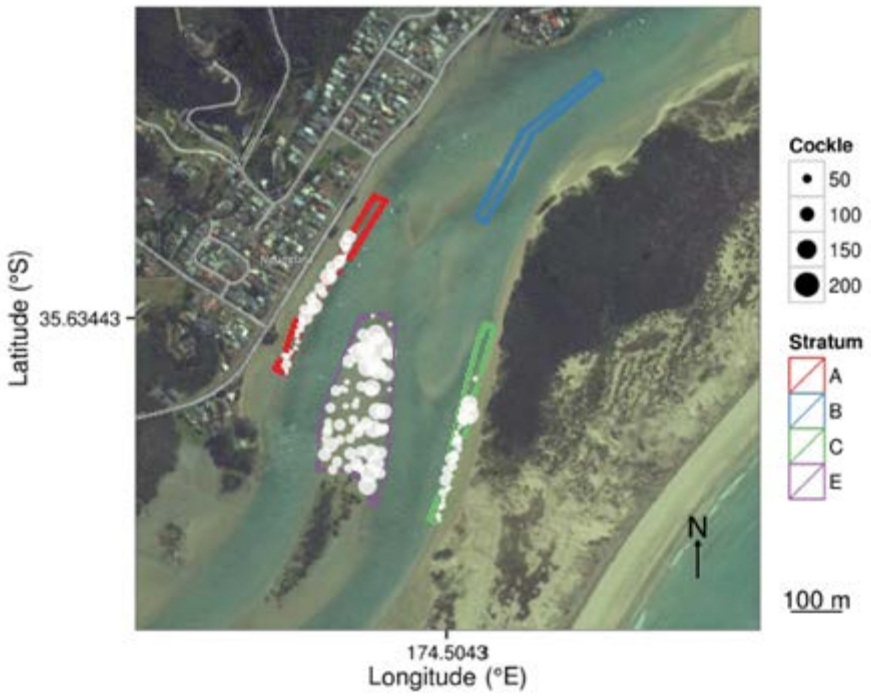


Figure 3: Cockle survey stratum at Ngunguru Estuary (circles show density per surface area of 0.035 m^2).



Pipi

The density of large pipi (>50 mm length) has declined within the surveyed area from 2005 when there was a density of approximately 50 per m^2, to 2015 when no pipi of this size were found (Figure 4). The length frequency analysis (Figure 5) also shows that the average size of pipis at site B appears to be much smaller than ten years ago. Notably, these surveys sample the area accessible for harvesting intertidally, so may not sample the entire pipi population.

Figure 4: Sampled large pipi (>50mm) densities at Ngunguru Estuary over the survey series

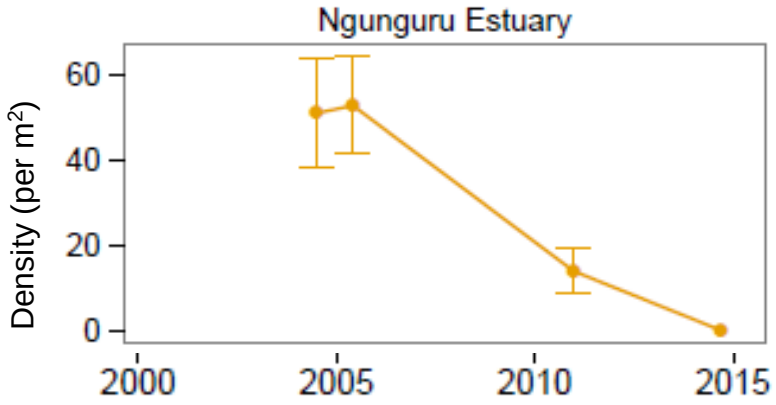
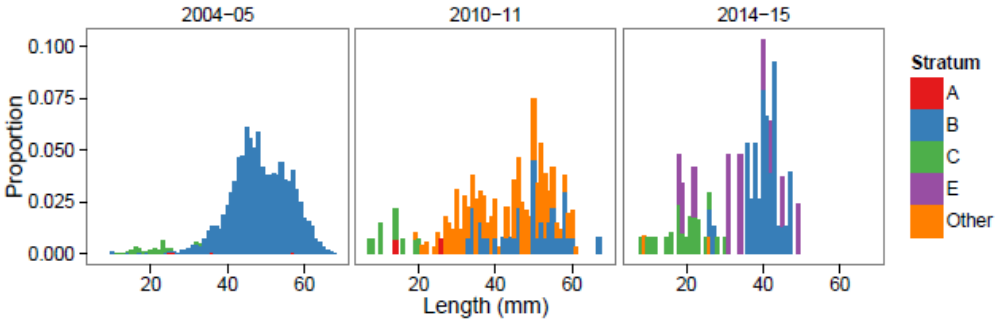


Figure 5: Length frequency distribution of pipi sampled at Ngunguru Estuary over the survey series



Since the time of the survey further concerns of a "die-off" of pipi within the area have been raised, prompting testing for disease. Testing revealed that there was a rickettsia-like bacterial organism in samples taken. Bacteria in this wider family of organisms are found relatively commonly in New Zealand shellfish and while this could be a factor in the decline, it is not commonly associated with a mass mortality.

Cockle

The density of large cockle (>30 mm length) has declined within the survey extent from 2004 when there was a density of 38 per m^2, to 2015 when there was a density of 4 per m^2 (Figure 6)[3]. As has been observed for pipis, the density of large cockles (>30mm) has declined over the time series (Figure 7), even with the addition of a new survey stratum (E).

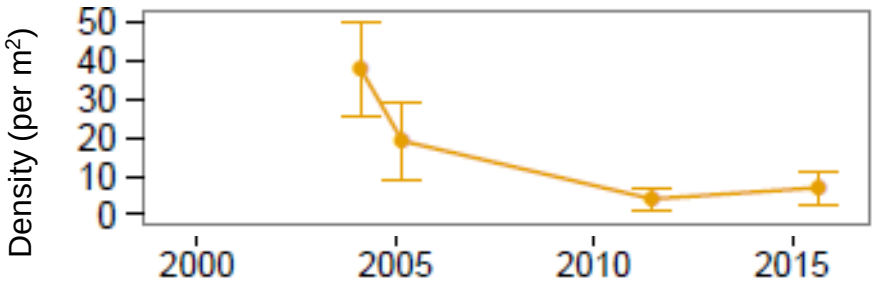


Figure 6: Sampled large cockle (>30mm) densities at Ngunguru Estuary over the survey series

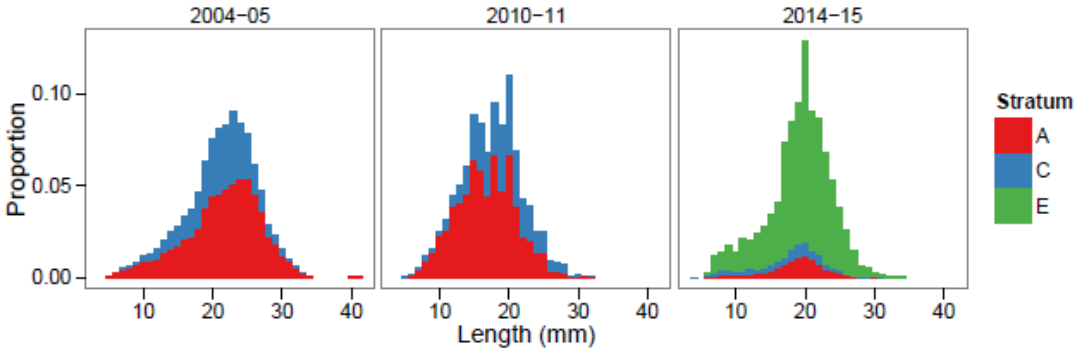


Figure 7: Length frequency distribution of cockle sampled at Ngunguru Estuary over the survey series

3 Legal Considerations

Following the consultation period MPI will prepare advice for the Minister for Primary Industries (the Minister) to make decisions. If the Minister decides to put a closure in place at Ngunguru, this will be implemented as soon as reasonably possible.

The decision document that will be provided to the Minister to support his decisions will address relevant statutory considerations. These are summarised in Appendix 1.

4 Proposed Options

MPI is consulting on the following management options to address sustainability concerns at Ngunguru Estuary[4].

[3] The last surveyed point is also overly optimistic due to a change in survey extent.

[4] Customary harvest will continue to be provided for under either option as specified in regulation 50 of the Fisheries (Amateur Fishing) Regulations 2013. The current closure to commercial harvest will be maintained.

Table 1: Proposed options for sustainability measures

Option 1 (*Status quo*)	Cockle and pipi fishery at Ngunguru estuary is open for recreational harvest of cockle and pipi (subject to the existing daily bag limit[5]).
Option 2 (MPI preferred)	Cockle and pipi fishery at Ngunguru estuary is closed to recreational harvest under section 11 of the Fisheries Act 1996.

The options proposed relate to closing Ngunguru to recreational harvesting of both cockle and pipi. Options to close the area to recreational harvest of just cockle or pipi are not proposed; in MPI's experience such closures displace fishing pressure to the unbanned species and increase the complexity and costs of ensuring compliance. Other options, such as specific reductions in the bag limit or seasonal closures are not proposed as these have been found to be difficult to enforce in fisheries such as the Ngunguru cockle and pipi fishery, and may not be effectively addressing the concerns identified. Periodic closures have typically been used to manage fishing pressure on shellfish beds as they are easy to understand and enforce within an estuary or harbour and are effective at addressing sustainability concerns from fishing.

4.1 OPTION 1 (STATUS QUO)

Option 1 is the status quo. Under this option, no new sustainability measures will be set for the cockle and pipi fisheries at Ngunguru estuary.

The population of both cockle and pipi are declining for reasons that are uncertain. Due to this decline, MPI does not know what levels of cockle and pipi harvest are sustainable. In addition, anecdotal information suggests that harvesting pressure may have declined following warnings about health risks with the consumption of pipi at Ngunguru. If so, then this addresses some of the risk associated with this status quo option.

Option 1 does not directly address the risk that fishing could further exacerbate pressures on the Ngunguru cockle and pipi beds.

4.2 OPTION 2 (MPI PREFERRED OPTION)

Option 2 proposes to close Ngunguru to the harvest of pipi and cockle in response to the new survey information and the observations of die-off. This option seeks to remove the potential added pressure of recreational harvest until there is information to support reopening of the beds.

MPI considers a full closure to be the most effective measure for addressing the risks from harvesting cockle and pipi at Ngunguru. Pre consultation suggests tangata whenua and the local community support this approach. Overall, MPI considers a closure is an appropriate response for Ngunguru because:

- the surveys indicate the density of large pipi and cockle has declined to the point where there are few to be harvested;
- a closure is an effective way of ensuring the populations are not being affected by fishing, and is easily understood and effective to enforce;

[5] Bag limit of 150 cockles, and 150 pipi for recreational fishers (per person per day) as specified in regulation 12 of the Fisheries (Amateur Fishing) Regulations 2013

- other restrictions, such as specific bag limit reductions, can be more difficult to enforce in fisheries such as the Ngunguru cockle and pipi fishery; and
- MPI's surveys show cockle and pipi are abundant and able to sustain harvesting at other bays and beaches in the region.

While the health of the pipi beds has been raised as a specific concern by the local community, MPI considers that any closure should be applied to both species. Based on previous, closures there is a potential for effort to be displaced to cockles if only pipi is closed or vice versa. A closure for both species helps to make the rules easy to understand and cost-effective to enforce.

No end date would be placed on the closure, MPI will continue to periodically survey the beds every two to three years and work with stakeholders to monitor the pipi and cockle populations. MPI would also consider the future management of these beds within broader regional strategic work that will be initiated in 2016.

Overall, MPI considers Option 2 is the best option to provide for long-term utilisation of this fishery while ensuring sustainability; the purpose of the Act.

Conclusion

There are concerns regarding the decline of pipi and cockle at Ngunguru Estuary. Scientific information supports these concerns as large pipi were not found in the 2015 survey. A corresponding survey of cockles also indicates a decline in density of large cockles. While there are likely a range of factors affecting these shellfish populations, MPI proposes closing Ngunguru estuary to the recreational harvest of cockle and pipi under section 11 of the Act, to reduce the potential for fishing to exacerbate the decline. The current commercial closure would also be maintained. A closure to recreational harvest of both species is an appropriate response given the dramatic decline, and is a tool that will be easily understood and cost-effective to enforce. Tangata whenua and stakeholder views are sought on this proposal to inform final advice to the Minister.

WHANGATEAU HARBOUR

Figure 1: Whangateau Harbour

1 Purpose

Whangateau Harbour is just South of Cape Rodney. The inlet is characterised by extensive intertidal sandflats interspersed with elevated banks.

A die-off of cockle in Whangateau Harbour is believed to have occurred between January and May 2009 and was attributed to two naturally occurring pathogens. Monitoring undertaken by the Whangateau Harbour Group and the University of Waikato indicated that over half of cockles at monitoring sites perished during this event including 80% of large (over 30mm) cockles.

Pipi, which are found in a more localised area of the Harbour, did not appear to be affected by the die-off event, however, they may have become subject to increased harvest pressure due to displacement of harvesting effort. The decision to close harvest to both species was implemented in March 2010 and further extended for three years in March 2013.

The closure is currently in place until 26 March 2016. However, given densities of large cockle remain relatively low, MPI is seeking tangata whenua and stakeholder views on a proposal to further extend the closure.

2 Background Information

Whangateau Harbour has been sampled eight times under the MPI monitoring programme between 2002 and 2014, and is scheduled to be surveyed again in early 2016.

Figures 2 and 3 show the areas sampled (stratum) in 2014. The circles depict density of cockle and pipi respectively in the samples.

Figure 2: MPI survey stratum at Whangateau Harbour for cockle (circles show density per surface area of 0.035 m^2)

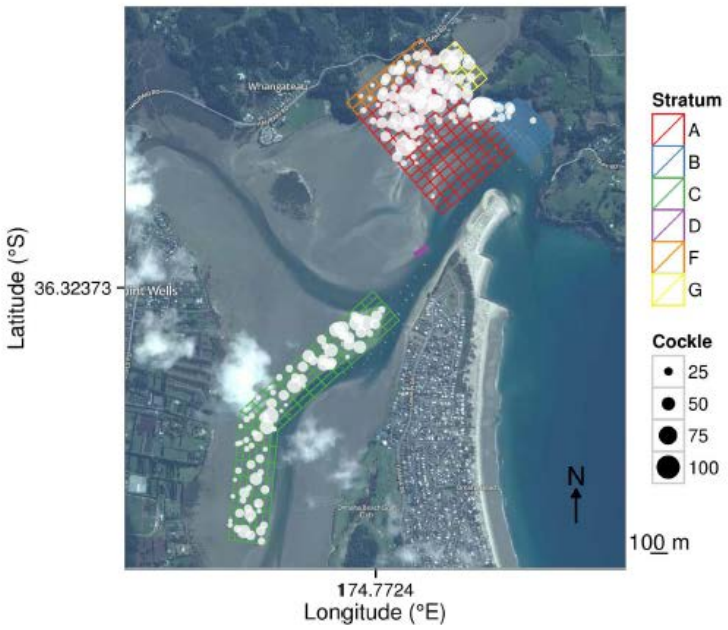
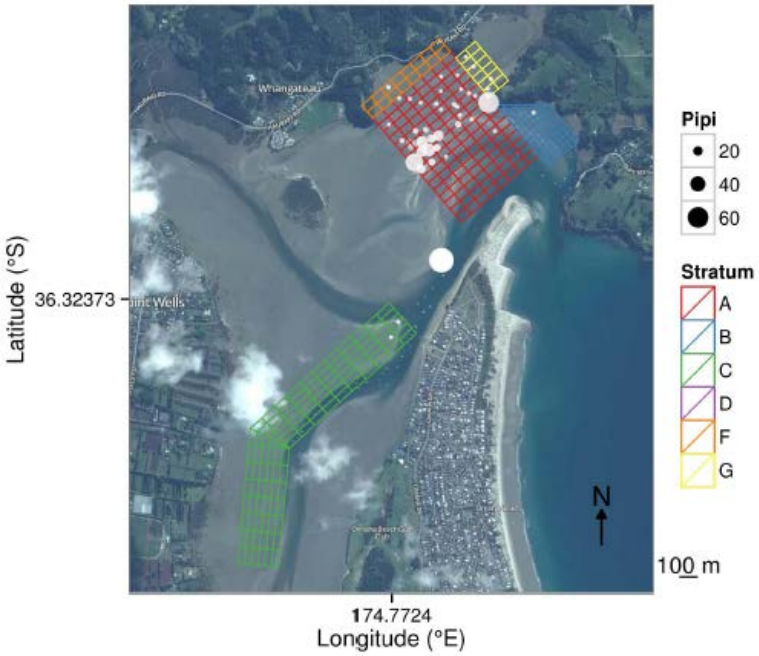


Figure 3: MPI survey stratum at Whangateau Harbour for pipi (circles show density per surface area of 0.035 m^2)



Further information is also available in relation to Whangateau cockle from the community-led monitoring programme.

Cockle

The density of large cockle (>30 mm) rebounded shortly after the 2009 mortality event, but in 2014 remained at only about half the level recorded prior to 2005, although there is significant uncertainty in the earlier estimates (Figure 4). Length frequency distributions show a relatively stable size frequency since 2010-11 (Figure 5), with numbers of large cockles remaining static.

Figure 4: Sampled large cockle (>30mm) density at Whangateau Harbour over the survey series

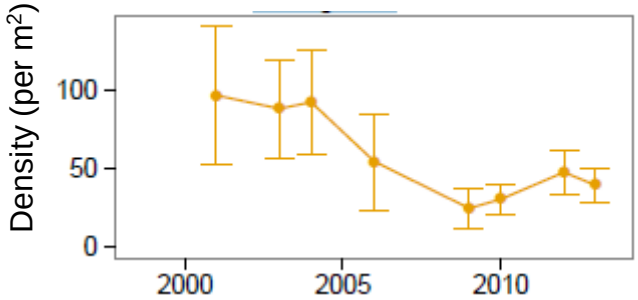
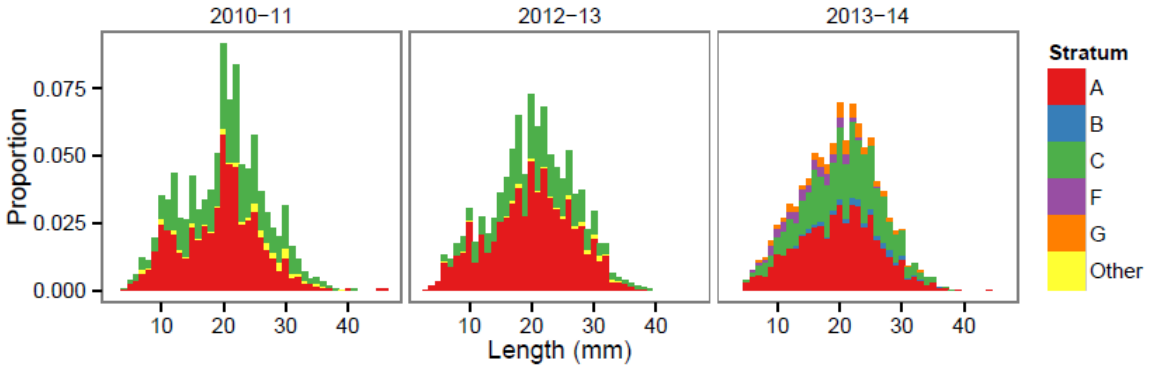


Figure 5: Length frequency distribution of cockle sampled at Whangateau Estuary over the survey series



Preliminary monitoring results from the latest in a series of surveys conducted by Whangateau Harbourcare with Mahurangi College Intermediate show stable cockle densities from 2011 at the Horseshoe Island monitoring site (Figure 6), and a small increase at the Lews Bay site (Figure 7). Little change is noted in the proportion of small cockles since the die-off event.

Figure 6: Cockle density at Whangateau Harbour – Horseshoe Island, 2011 – 2014

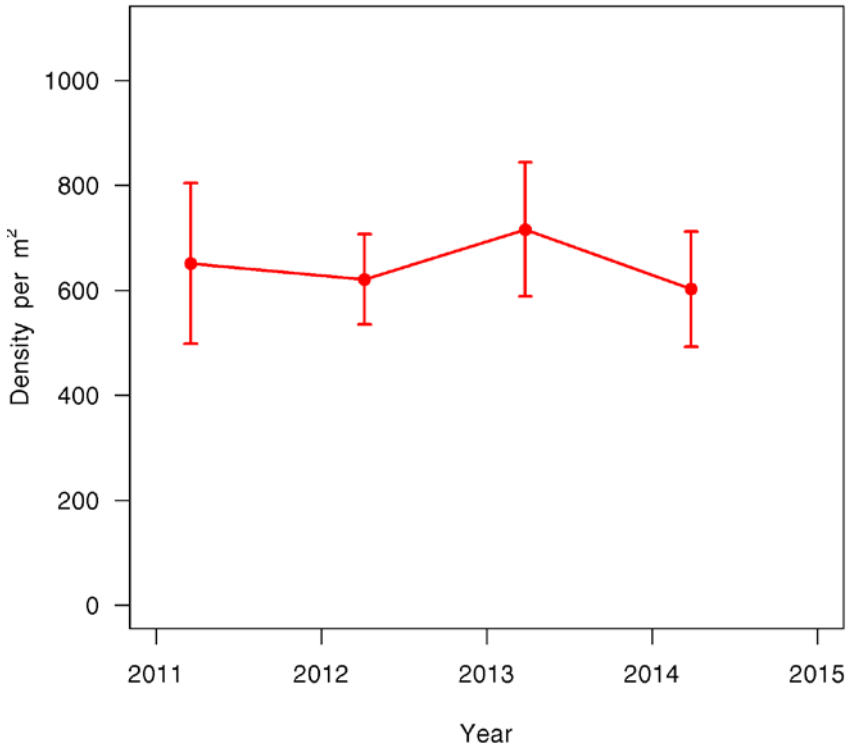
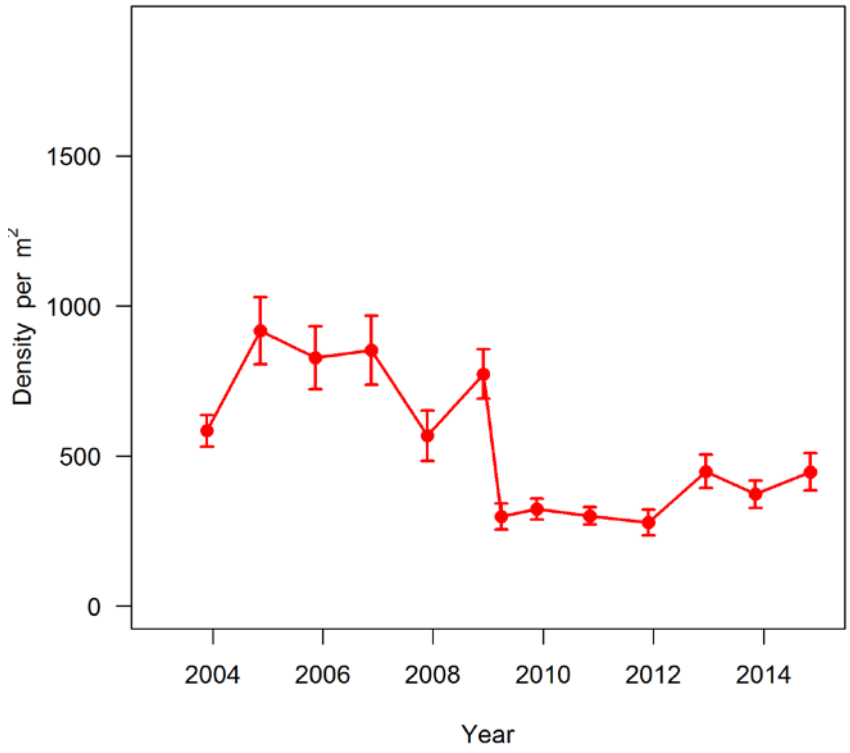


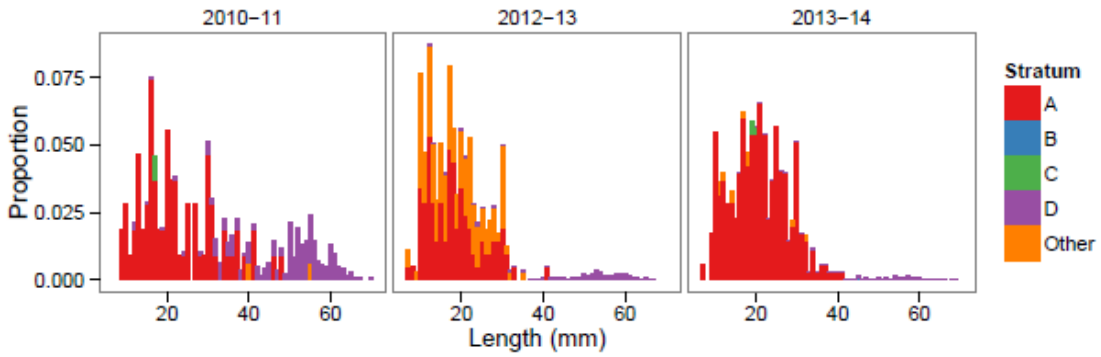
Figure 7: Cockle density at Whangateau Harbour – Lews Bay, 2004 – 2015



Pipi

Pipi have had low and variable densities at Whangateau throughout the survey series, fluctuating from less than 1 to 2 per m^2 from 2002 to 2014. There was a marked decrease in the average length of pipi in the 2014 survey (from 29mm long in 2011 to 20mm long in 2014), and large pipi (>50mm) only made up less than 1.5% of the samples in 2014. Notably, these surveys sample the area accessible for harvesting intertidally, so may not sample the entire pipi population.

Figure 7: Length frequency distribution of pipi sampled at Whangateau Estuary over the survey series



3 Legal Considerations

Following the consultation period MPI will prepare advice for the Minister for Primary Industries to make decisions. If the Minister decides to extend the closure at Whangateau this will be implemented as soon as reasonably possible.

The decision document that will be provided to the Minister to support his decisions will address relevant statutory considerations. These are summarised in Appendix 1.

4 Proposed Options

MPI is consulting on the following management options to address sustainability concerns at Whangateau Harbour[6].

Table 1: Proposed options for sustainability measures

Option 1 (*Status quo*)	Cockle and pipi fishery is closed under section 11 of the Fisheries Act 1996 to recreational harvest until 26 March 2016. The closure is not extended and harvesting resumes managed by the existing recreational bag limit[7].
Option 2 (MPI preferred option)	The closure to the cockle and pipi fishery to recreational harvest is extended under section 11 of the Fisheries Act 1996 until a decision is made to reopen the beds to recreational harvest.

4.1 OPTION 1 (STATUS QUO)

Option 1 is the status quo, under this option the closure would not be extended, and the beds would reopen to harvesting after 26 March 2016.

MPI is commissioning a survey in 2016 to reassess the biomass of the Whangateau Harbour cockle and pipi populations. If this survey shows there has been no improvement or there has been a further decline then a new closure (or some other measure) could be considered.

This option does not address the risk that the reintroduction of harvesting could exacerbate pressures on the populations of cockle and pipi at Whangateau.

4.2 OPTION 2 (MPI PREFERRED OPTION)

Option 2 proposes to extend the Whangateau Harbour closure. Best available information suggests that the density of large cockle has not increased significantly during the current closure at Whangateau and remains at lower than pre die-off levels. While the largely static population suggests that there are factors, besides recreational harvest, that are affecting the cockle beds, there is a risk that reintroduction of recreational harvesting could trigger a further decline. In recognition of the importance of the cockle beds to tangata whenua and the local community, a cautious approach is recommended.

[6] Customary harvest will continue to be provided for under either option as specified in regulation 50 of the Fisheries (Amateur Fishing) Regulations 2013. The current closure to commercial fishing will be maintained.

[7] Bag limit of 50 cockles and 50 pipi (per person per day)) as specified in regulation 60 of the Fisheries (Amateur Fishing) Regulations 2013

It is proposed to continue the current closure rather than consider reducing bag limits or other alternatives. MPI considers closure is an appropriate response for Whangateau because:

- the density of large cockle is only about half of pre-closure density, and pipi are smaller and at low density;
- a closure is an effective way of ensuring the populations are not being affected by recreational fishing, and is easily understood and effective to enforce;
- other restrictions, such as specific bag limit reductions can be difficult to enforce in fisheries such as the Whangateau cockle and pipi fishery; and
- MPI's surveys show cockle and pipi are abundant and able to sustain harvesting at other bays and beaches in the region.

MPI considers that any closure should cover both species as there is a potential for effort displacement to pipi if only cockle is closed and vice versa. This approach makes the rules easy to understand and cost-effective to enforce.

No end date would be placed on the closure, however, MPI will review whether the closure remains appropriate when the results from the 2016 survey are available later next year. MPI will continue to periodically survey the beds and work with stakeholders to monitor the cockle and pipi populations. MPI will also consider the future management of these beds within broader regional strategic work that will be initiated in 2016.

Overall, MPI considers Option 2 is the best option to provide for long-term utilisation of this fishery while ensuring sustainability; the purpose of the Act.

Conclusion

There have been concerns about cockle at Whangateau Harbour since a die-off event in 2009 and the beds have been closed to cockle and pipi harvest since 2010. Despite this closure, cockle density has not increased in recent years and the density of large cockle remains low compared to historic levels. While pipi have always had low and variable densities at Whangateau, monitoring in recent years has shown the size of pipi has decreased. While there are likely to be a range of factors affecting these shellfish populations, MPI proposes to continue the existing closure for the recreational harvest of both these species under section 11 of the Act, to reduce the potential for fishing to exacerbate a further decline. The closure would be reviewed when the results of a new survey of the beds are available in 2016. Tangata whenua and stakeholder views are sought on this proposal to inform final advice to the Minister.

6 APPENDIX 1. LEGAL CONSIDERATIONS

SECTION 9- ENVIRONMENTAL PRINCIPLES

The Fisheries Act 1996 prescribes three environmental principles that the Minister must take into account when exercising powers in relation to utilising fisheries resources and ensuring sustainability.

Principle 1: Associated or dependent species should be maintained above a level that ensures their long-term viability.

The Act defines "associated and dependent species" as any non-harvested species taken or otherwise affected by the taking of a harvested species. Cockle and pipi are currently taken by hand gathering at Ngunguru and Whangateau and there is little known impact from this fishing on other species.

Principle 2: Biological diversity of the aquatic environment should be maintained.

"Biological diversity" means the variability among living organisms, including diversity within species, between species, and of ecosystems.

Determining the level of impact of fishing on biodiversity requires an assessment of the risk that fishing might cause a decline in the abundance of one of more species, or otherwise cause biodiversity to be reduced to an unacceptable level. As described earlier, fishing is likely to be an added pressure on these shellfish beds. As it is a selective target fishery it does not directly remove significant numbers of 'bycatch' species from the aquatic environment.

Principle 3: Habitat of particular significance for fisheries management should be protected.

The maintenance of healthy fish stocks requires the mitigation of threats to fish habitat. The method of hand gathering is unlikely to pose a direct threat to such habitats unless occurring at a particularly intensive level.

SECTION 10- INFORMATION PRINCIPLES

The nature of the data and assumptions used to monitor fisheries and the results produced contain inherent variation and uncertainty. The Act specifies the information principles that must be taken into account when information is uncertain:

- Decisions should be based on the best available information – that is the best information that, in the particular circumstances, is available without incurring unreasonable cost, effort, or time;
- Decision makers should consider any uncertainty in the information available in any case;
- Decision makers should be cautious when information is uncertain, unreliable, or inadequate; and.
- The absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of the Act.

The best information available for cockles and pipis populations at Ngunguru and Whangateau is a time series of abundance of these species from a survey that has been through MPI science review processes. In the case of Whangateau there is additional information from community monitoring has been analysed by MPI scientists. Where there is uncertainty in information it is discussed within this paper. Any further information obtained through this consultation process will be incorporated into the decision document with the appropriate weighting.

SECTION 11- SUSTAINABILITY MEASURES

Section 11(1) of the Act allows the Minister to set or vary any sustainability measure for one or more stocks or areas, after taking into account any effects of fishing on any stock and the aquatic environment, any existing controls that apply to the stock or area concerned (for example the bag limits referred to earlier in this paper), and the natural variability of the stock concerned.

Pipi and cockle populations are known to vary over time and in response to environmental changes. The proposals to close these shellfish beds to harvesting seek to address any risk that fishing will contribute to declining populations and lower numbers of large shellfish.

Section 11(2) states that before setting or varying any sustainability measure, the Minister shall have regard to any provisions of: any regional policy statements, regional plans, or proposed regional plans under the Resource Management Act 1991; any management strategy or plan under the Conservation Act 1987; sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000; any regulations under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012; and any planning documents lodged with the Minister of Fisheries (Minister for Primary Industries) by a customary marine title group under section 91 of the Marine and Coastal Area (Takutai Moana) Act 2011.

MPI is not aware of any specific matters under the above provisions that are relevant to the decision on Ngunguru. In terms of Whangateau, the key consideration that MPI considers relevant to this section is that it is situated within the Hauraki Gulf Marine Park. MPI considers both Option 1 and 2 for Whangateau are consistent with sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000, although Option 2 best addresses the risk that reintroduction of fishing poses to the populations of cockle and pipi.

Section 11(2A) states that before setting or varying any sustainability measure the Minister must take into account any relevant fisheries plan, fisheries services or conservation services. There are no relevant approved fisheries plans. The key relevant fisheries service is the ongoing series of surveys of Ngunguru and Whangateau, outlined in this document.

Section 11(3) outlines a non-exhaustive list of sustainability measures that the Minister may set for a stock. Sustainability measures may relate to the areas from which any fish, aquatic life, or seaweed of any stock may be taken. The Minister may implement any sustainability measures by notice in the Gazette (as proposed in this paper) or by the making of regulations under section 298 of the Act. MPI is proposing an area closure as the sustainability measure to address the observed declines in cockle and pipi populations. The rationale for this measure is outlined later in this document.

Section 11(4) allows sustainability measures to be set or varied by Gazette Notice or by recommending the making of regulations. MPI proposes that the sustainability measures be set by notice in the Gazette.

SECTION 12- CONSULTATION

Before implementing any section 11 sustainability measure, section 12 of the Act specifies the Minister shall consult with persons or organisations that the Minister considers have an interest in the stock or the effects of fishing on the aquatic environment in the area concerned, including Maori, environmental, commercial, and recreational interests. This paper forms part of that consultation process.

The Minister must also provide for the input and participation of tangata whenua having a non-commercial interest in the stock concerned or an interest in the effects of fishing on the aquatic environment in the area concerned. The Minister must also have particular regard to kaitiakitanga. MPI contacted tangata whenua representatives prior to the release of this consultation paper and intends to meet with tangata whenua as part of this consultation process.