

PROPOSAL TO REVIEW SHELLFISH MANAGEMENT AT COCKLE BAY, AUCKLAND - INITIAL POSITION PAPER

Executive Summary

The cockle resources of Cockle Bay, Manukau City, are subjected to intensive harvest pressure. The existing amateur harvest control is a maximum daily bag limit of 50 cockles per person per day. The greatest harvest pressure is during the summer period and indications are that the cumulative take of cockles is likely to be unsustainable. While cockles appear to be the favoured species, other shellfish species are vulnerable to over harvesting and are included in this proposal.

This paper investigates and discusses a number of different management options for the shellfish stocks at Cockle Bay.

The preferred option is to establish a closed season over the summer period, 1 October to 30 April, to the taking of shellfish within a defined area surrounding Cockle Bay. An open season from 1 May to 30 September is proposed. During the open season the existing daily bag limits would apply.

MFish is seeking submissions to the proposal contained in this Initial Position Paper.

Submissions

Submissions on this proposal should be received by the Ministry of Fisheries (MFish) by

18 August 2008.

Submissions should be sent to:

Ministry of Fisheries
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Purpose of the Initial Position Paper

- 1 The purpose of this Initial Position Paper (IPP) is to:
 - Discuss concerns regarding the sustainability of cockles and other shellfish at Cockle Bay (Manukau City, Auckland);
 - Briefly review the appropriateness of the existing management and its history;
 - Propose possible future management options; and
 - Consult stakeholders and interested parties on a preferred management option.

Introduction

2 Intertidal shellfish are a valued fishery resource. They are valued as food by recreational and customary Maori fishers, as a taonga by Maori, and as an indicator of general environmental wellbeing by others. Intertidal shellfish also form an important link in the food chain and perform important ecological services.

3 Intertidal shellfish resources are easily accessed by recreational and customary fishers. Many beaches are accessible by car or foot and no special tools are required for harvesting. This ease of harvesting, and the proximity of some shellfish beds to the large human population of Auckland, makes managing intertidal shellfish populations challenging.

4 A fishery compliance operation at Cockle Bay on 28 January 2008 estimated that 1500 people harvested cockles at the beach on that day. With a daily bag limit of 50 cockles per person per day, up to 75 000 cockles may have been harvested on that day (assuming everybody took their legal entitlement). Reports from the Fishery Officers indicated that many of the harvesters took in excess of the daily bag limit and a number of offence proceedings have resulted from this action. High levels of shellfish harvest and offending against the amateur rules were detected at Cockle Bay for much of the 2008 summer. It is considered that the cockle resource at Cockle Bay is unlikely to be able to sustain this level of harvest.

5 The Cockle Bay community has also raised concerns over the harvest level at the beach during the summer period and is concerned about the sustainability of the cockle resource. The community has requested that MFish implements a more sustainable management approach for the fishery.

6 The harvest of intertidal shellfish, including cockles, at Cockle Bay is solely non-commercial (amateur and customary Maori non-commercial fishing). The commercial harvest of cockle and pipi is prohibited at Cockle Bay.

7 Although the management of the cockle resource at Cockle Bay is the key driver for change, for some of the management options proposed in this paper to be most effective, they should apply to all shellfish.

Cockle Bay

8 Cockle Bay is located on the Hauraki Gulf coast of Manukau City, Auckland. It is a small bay, being some 400m in length. It sits within an urban context, with beach-front

reserves and car parks backed by residential properties. It is a very popular swimming and cockle harvesting location.

9 Cockle Bay is one of two main cockle harvesting beaches on the Hauraki Gulf coast of Manukau City. The other beach, Umupuia, has been the subject of annual shellfish surveys. These surveys have shown that the cockle population has declined from about 90 million cockles in 2000 to approximately 12 million in 2006. MFish is processing an application for a two-year closure to the recreational harvesting of cockles at Umupuia. If approved, this closure will come into effect later in 2008.

Location Map



Compliance Imperative

10 Cockle Bay is an area that has been of particular interest to shellfish gatherers during the past summer. A compliance operation that was undertaken on 28 January 2008 (see paragraph 4) highlights the harvest pressure at Cockle Bay. Although this particular date did see a significant number of shellfish gatherers, harvesters also were present at the beach throughout the general summer period. Generally, the level of offending at Cockle Bay was high, and higher than many other locations.

11 Table 1 provides a comparison of the detected levels of non compliance from four main shellfish locations close to Auckland. Okoromai and Whangateau are both cockle and pipi fisheries, whereas Clarks Beach is a scallop fishery. The type of compliance action taken reflects the scale of offence, with warnings being the lowest level and prosecutions being for more serious offences. Table 1 shows that offending at Cockle Bay is more frequent and of a more significant nature than at the other locations.

12 This level of harvesting coupled with the level of non compliance raises significant sustainability concerns for the cockle resources of Cockle Bay.

Table 1: Number of Compliance actions for various beaches from October 2007 to July 2008

Beach	Number of Warnings	Number of Infringements Notices Issued	Number of Prosecutions
Okoromai	2	14	4
Whangateau	2	0	0
Clarks Beach	115	41	0
Cockle Bay	44	28	38

Local Community Objectives

13 Honorary Fishery Officers have liaised with the local community over this issue. They report that the local community supports the continuation of harvest of cockles from Cockle Bay; however, they are of the opinion that the current harvest level is unsustainable. Initial indications suggest that the community is supportive of closing Cockle Bay to harvesting over the summer period with an open season being provided over the winter period.

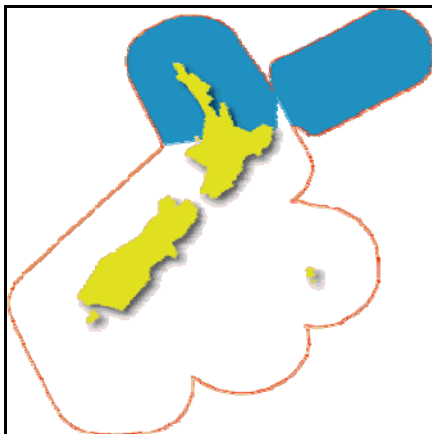
History of Management

14 Prior to 1998, the amateur harvesting of cockles in the Auckland & Kermadec Fisheries Management Area was managed by a daily bag limit of 150 per person per day. There were no size limits or closed seasons.

15 In response to concerns about the sustainability of intertidal shellfish populations, in 1998 MFish established a new management area, the Auckland Metropolitan Area, and reduced the daily bag limit for a number of popular shellfish species within this area. The amateur daily bag limit for cockles, tuatua and pipi was reduced to 50 per person per species per day.

16 After concerns were expressed about the sustainability of shellfish resources on the Coromandel Peninsula, the Auckland Metropolitan Area was extended in 1999 to cover the Coromandel Peninsula and was re-named the Auckland Coromandel Area.

17 Those measures do not appear to be effective at controlling recent harvest levels at popular beaches such as Cockle Bay.



Auckland & Kermadec Fishery Management Area



Auckland Coromandel Area

Shellfish Survey Information

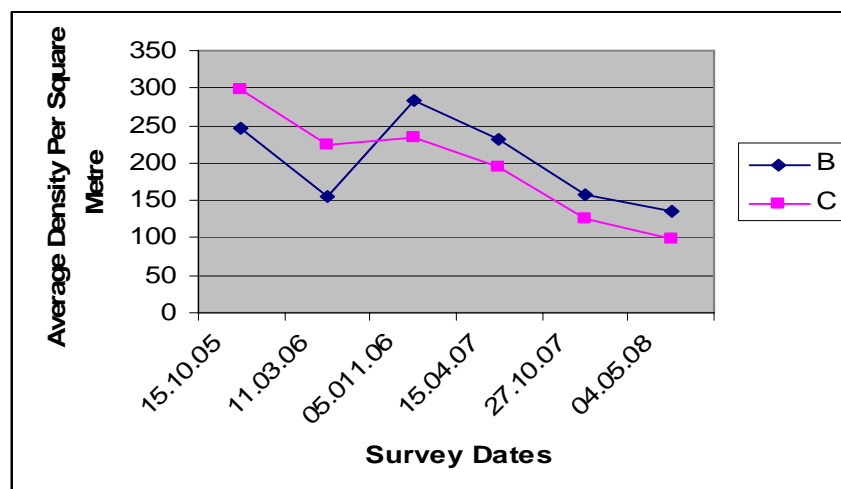
18 In most years, MFish commissions intertidal shellfish surveys at a number of beaches within the Auckland & Kermadec Fisheries Management Area. Although Cockle Bay has not been included in these surveys, information is available from the Chinese Conservation Education Trust¹, which has been surveying the intertidal shellfish population at Cockle Bay since 2005. The Trust follows a careful set of survey procedures and the information gained by the Trust is the best available information on the changes in the cockle resources there. As the Trust work has progressed, so has the number of transects surveyed. The Trust now uses four transects down the beach counting shellfish at 100m intervals. Two transects (B and C) have been surveyed six times since October 2005, and provide the best indication of changes within the fishery.

19 The results of the surveys show that, although the cockle population at Cockle Bay is quite variable, overall there appears to be a downward trend in the population. The 2008 survey suggests that the population may have declined to about 30-40% of the 2005 population numbers.

Chinese Conservation Education Trust cockle survey results for transects B and C, Cockle Bay
(Number of cockles per square metre)

Transect	15.10.05	11.03.06	5.11.06	15.04.07	27.10.07	04.05.08
TB100	45	45	15	30	50	70
TB200	75	53	220	183	50	60
TB300	455	150	635	406	360	275
TB400	415	378	263	305	175	
TC100	55		43	20		20
TC200	230	110	340	33	40	90
TC300	340	340	244	238	120	173
TC400	570		305	483	220	110
Average Density Transect B	247.5	156.5	283.25	231	158.75	135
Average density Transect C	298.75	225	223	193.5	126.67	98.25

(TB 100 is located 100m from the shore and TB400 is located 400m from the shore)



¹ www.ccet.org.nz

Biological Factors Supporting Management Intervention

20 Research has found that in beds where all live cockles have been removed, settlement of juvenile cockles from the plankton is reduced. This suggests that the presence of live cockles provides some form of stimulus that assists larval settlement. Following from this, if adult cockle densities fall below a certain level, larval settlement and hence the rebuilding of the fishery might be impaired.

21 In support of the above, there are examples at Cheltenham Beach and Eastern Beach, where adult cockle densities have been reduced to low levels and, although harvest prohibitions have been put in place, the cockle resources have not rebuilt. It is not known whether this has been the result of the larvae's preference for areas with adult cockles or to some other change to the beach such as pollution or sedimentation. However, the above suggests that a cautious management approach is necessary to maintain sustainable cockle populations at local scales.

Behaviour and Perceptions of Fishers –Impact on Management Options

22 The perceptions and motivations of different sectors of the community may well be different and are important to the consideration and success of any new management response.²

23 Some sectors of the community have cited the following motivations for collecting seafood:

- The need to provide food;
- The larger than average family size;
- An obligation to share food.

24 Motivations for the non compliance with fisheries rules include the perceptions of the need or expectation to return from a fishing expedition with fish.

25 There is evidence that non compliance often occurs despite awareness of fisheries regulations. Education and information will continue to be important in ensuring compliance.

Management Tools

26 Historically, MFish has sought to meet the purpose of the Fisheries Act 1996 (the Act) in terms of the amateur harvesting of cockles and other intertidal shellfish species principally by establishing a daily bag limit. A daily bag limit is intended not only to ensure sustainable harvesting levels, but also to share the resource between individual fishers. This is particularly appropriate for sedentary species, where the daily bag limit helps to ensure that the resources are available for users over the course of time. Whilst this approach has been effective in the past, more recent experience suggests that:

² Perceptions and Motivations for Fishing by Pacific Island Peoples and Asian Ethnic Groups, prepared by Forsythe Research for the Ministry of Fisheries, August 2001.

- Harvesters' expectations are that bag limits will provide sufficient fish to meet their needs;
- MFish officers are of the opinion that 50 cockles per person per day is at the lower end of meeting this need;
- A lack of adherence to the daily bag limit makes the control ineffective as a mechanism to control the level of harvesting;
- At some locations, regardless of the daily bag limit, the number of harvesters probably makes the cumulative catch unsustainable.

27 In other recreational shellfish and finfish fisheries, a number of controls are used to manage take and to provide for fair and reasonable allocation. These tools are:

- Daily bag limits;
- Minimum legal size limits;
- Method restrictions;
- Closed seasons;
- Combinations of the above.

28 Examples of these different management approaches include that:

- Most shellfish species (e.g. cockle, pipi, tuatua, kina) are managed using only a daily bag limit;
- Paua and dredge oyster (other than Foveaux Strait and OYS3) use a combination of daily bag limit and size limits;
- Paua may not be taken using SCUBA/UBA;
- New Zealand scallop and the Foveaux Strait dredge oyster use daily bag limits, size limits and closed seasons.

Analysis of Options

29 The following is an analysis of the various management tools that could be applied to managing the cockle and other shellfish resources at Cockle Bay. This analysis has considered four key requirements:

- The ability to provide for appropriate utilisation while ensuring sustainability;
- Simplicity of regulation;
- Fit with adjacent regulatory controls;
- The ability to ensure compliance.

30 MFish considers that satisfying some of the above requirements would require the management measures to be applied to all the shellfish resources within the bay.

Option 1: Reduced Daily Bag Limit

31 It would be possible to reduce the daily bag limit for cockles and other species at Cockle Bay from 50 per person per day to some lower amount. Whilst a reduction in the daily bag limit would likely reduce the overall take from the beach if complied with, it would have some limitations. Considerations include that:

- Daily bag limits are well understood by recreational fishers and relatively simple from a compliance perspective;
- If a separate daily bag limit is imposed for Cockle Bay in isolation to the surrounding beaches it would create undue complexity by having different daily bag limits between different beaches³;
- In theory, a reduced daily bag limit will reduce overall take if complied with. However, there is opinion that the existing daily bag limit of 50 cockles per person per day is at the lower end of meeting the needs of harvesters and this is, at least in part, the reason why the level of non compliance is high. Also, given the high harvest pressure, a smaller bag limit may still not reduce the cumulative take to a sustainable level;
- Compliance with the existing daily bag limit is poor. Recent experience has shown that a high level of compliance presence is needed at the beach over much of the summer period. A reduced bag limit is likely to increase this need.

Option 2: Minimum Size Limit

32 It would be possible to establish a minimum size limit for cockles. As cockles are sexually mature at around 18mm, but are generally not harvested until 25-27mm, a minimum size limit could be established to protect the breeding population. There are a number of measurement devices that could be used, including a “ring-type” measurer such as that used for dredge oysters, or a simple gap measure. Considerations are that:

- Cockles are relatively easy to measure and a minimum legal size limit can be established relatively simply;
- Recreational fishers generally target cockles above 25mm. Cockles mature at around 18mm. A 25mm minimum size limit would protect a mature population of cockles at the beach;
- Size limits for cockles have not been established elsewhere in the country and the implementation of a size limit for one beach in isolation of other beaches could confuse fishers and be problematic;
- Recreational harvesters can take up to 50 cockles per day. The establishment of a minimum legal size would require compliance officers to both count and measure all cockles when undertaking Compliance activities. This has the potential to create an undue work load for compliance staff.

Option 3: Method Restrictions

33 The harvesting of cockles does not require the use of any specialised methods or equipment. Accordingly, there is no simple method restriction that could be implemented to reduce take.

Option 4: Permanent or Temporary Closure

34 Many fishers are familiar with temporary or permanent closures as fishery management measures. Closures can be implemented to exclude all harvesting for an extended period, as is the case at Cheltenham Beach, which is closed to all shellfish harvesting. Alternatively, a closure could be for a set period, as is done under section 186A

³ Noting that this situation already occurs at the northern and southern boundaries to the Auckland Coromandel Area.

of the Fisheries Act, which provides for temporary closures of up to a maximum period of two years.

Permanent Closure

35 Sections 297 and 298 of the Act provide for the establishment of regulations. Such regulations can prohibit the taking of certain fish or shellfish species from defined areas. Examples of where these regulations have been used to implement area closures for shellfish include Cheltenham, Eastern and Karekare Beaches.

36 A permanent closure, whilst it would allow for the cockle population to re-establish itself, does not provide for utilisation of the relevant shellfish resources at the beach. This approach could therefore be seen to be in conflict with the utilisation purpose of the Act. Also, initial consultation with the local community indicates that they wish to continue the utilisation of the resource, but seek that this utilisation be made sustainable. Considerations are that:

- Permanent closures are used at a number of beaches. They are understood by fishers and relatively easy to implement;
- A permanent closure would preclude utilisation of the Cockle Bay resource and could lead to displacement of effort to other locations. A permanent closure would not meet the utilisation needs of the local community;
- A permanent closure at Cockle Bay would fit within the existing regulatory framework;
- From a compliance perspective, a permanent closure would be relatively simple to enforce.

Section 186A Temporary Closure

37 Section 186A of the Act enables the Minister of Fisheries to close areas to harvest for a maximum period of two years. Consecutive closures can be implemented.

38 In order for section 186A temporary closure to be established, the Minister must be satisfied that the closure will recognise and provide for the use and management practices of tangata whenua in the exercise of non-commercial customary fishing rights. Accordingly, Section 186A closures are generally implemented at the request of tangata whenua. To date, tangata whenua have not raised concerns about Cockle Bay.

39 A section 186A temporary closure applies to all persons. Temporary closures can apply to a single species. The process for establishing a section 186A temporary closure is relatively simple. Prior to giving notice of establishing a temporary closure, the Minister must comply with the consultation requirements of the Act. Considerations are that:

- Recreational fishers are aware of and generally understand temporary closures;
- A temporary closure would protect the existing resource and enable it to rebuild. However, a concern is that when the temporary closure is lifted, harvest pressure could cause the population to decline. A temporary closure is therefore a rebuilding tool and is not a clear long-term solution to an over-harvesting issue;
- During the period of the temporary closure it might displace effort to other locations;

- A temporary closure would fit within the existing regulatory framework, however, to date, tangata whenua have not requested such a closure;
- A temporary closure would be relatively simple to enforce.

Option 5: Closed Season

40 A number of fisheries operate using closed seasons, where the harvesting of a species is provided for during the period of the open season. Currently, no intertidal shellfish fisheries within the Auckland & Kermadec Fishery Management Area are managed under a closed season. However, fisheries such as the scallop fishery are successfully managed under closed seasons.

41 The advantage of a closed season is that it would limit the overall harvest by reducing the number of fishing days available to fishers. In particular, the proposal being promoted by the local community is for the fishery to be closed during the summer period, which is generally the period of highest harvesting pressure. A closure at that time is likely to be effective at constraining the level of harvesting.

42 Closed seasons can be established by regulation or by *Gazette* Notice under section 11 of the Act. The *Gazette* Notice process is administratively straightforward and is more suitable for a single beach application such as that proposed.

43 From a compliance perspective, if a closed season is to be implemented, then it should apply to all shellfish species. In terms of Cockle Bay, cockles are the dominant species, however, pipi are present as are crabs and some green-lipped mussels. It is considered unlikely that a closed season for all shellfish would result in any greater effect on the community.

44 Considerations regarding a closed season are that:

- Recreational fishers are relatively aware of closed seasons, although none currently exist for intertidal shellfish;
- It would be readily implemented on a single beach basis;
- A closed season would limit the annual harvest from the beach and therefore be effective at ensuring the sustainability of the resource in the long term. A closed season would meet utilisation needs by enabling harvest during the open season;
- There is a possibility for harvest pressure to be transferred to other beaches during the closed season;
- A closed season would fit within the existing regulatory framework for Cockle Bay;
- It would be relatively simple to enforce from a compliance perspective.

MFish's Preferred Approach

45 Of the five options proposed above, Options 2 and 5 present the most benefits, i.e. establishment of a minimum legal size limit or a closed season. The minimum legal size option has some significant issues surrounding likely compliance levels and the need for increased compliance resources, and is therefore not preferred.

46 The closed season proposal has the most benefits and the least negative effects. Closed seasons are well understood by the fishing community and relatively easy to

enforce.

47 An issue that does arise with the closed season option, and with a number of other options, is the possible displacement of fishing effort to other locations. Displacement of effort would possibly lead to sustainability concerns at these locations. However, MFish is not aware of any adjacent cockle beds that could be impacted by this displacement.

48 Initial discussions with community representatives have suggested that the closure should occur over the summer period, possibly aligning with the daylight savings time period. As most harvest occurs during summer, a summer closure would provide the best protection for the resource.

49 From a compliance perspective, specified dates are preferred over an alignment with daylight savings. Accordingly, it is proposed that the closure commence on 1 October each year and finish on 30 April the following year, inclusive.

50 The main fishery at Cockle Bay is for cockles, however, there are also some pipi and other shellfish resources. These latter resources are small and therefore are of limited recreational interest. From a compliance perspective, the best option would be for the closed season to apply to all shellfish fisheries within the Bay.

51 The Fisheries Act defines shellfish as: “...*all species of the phylum Echinodermata and phylum Mollusca and all species of the Class Crustacea at any stage of their life history, whether living or dead*”. Accordingly, the proposed seasonal closure would apply to, for example, cockles, pipi, green lipped mussels, oysters, kina, starfish, crabs, crayfish, and such other animals as are included by the definition in the Act.

52 For the seasonal closure to be effective it must meet two criteria. It must encapsulate the shellfish resources and its boundaries must be easy to determine on the ground. Cockle Bay is a gently shelving beach. The main cockle bed is directly off the beach and extends 400m or more from mean high water springs. Cockles are also found along that portion of foreshore adjacent to the Maungamaungaroa/Waikopua Creek. Pipi are also found in the area.

53 It is proposed that the Cockle Bay seasonal closure apply to the whole of Cockle Bay, following the line of mean high water springs along the Cockle Bay shoreline to a storm water pipe between Cockle Bay and Howick Beach, then extending to the outer most channel marker depicting the entrance to the Maungamaungaroa/Waikopua Creek then following the channel markers up the Maungamaungaroa/Waikopua Creek to the slipway at Shelly Park Beach, then back along the line of mean high water springs to Cockle Bay.

54 Coordinates for the proposed boundaries of the Cockle Bay seasonal closure are given in the Appendix along with both an aerial photograph and a part of a hydrographic chart showing the proposed area.

Statutory Consideration

55 The purpose of the Fisheries Act is: “...*to provide for the utilisation of fisheries resources while ensuring sustainability.*”

56 The options proposed in this paper seek to address over-harvest issues and in doing

so seek an appropriate balance between utilisation and sustainability. Some of the options proposed provide greater weight to one or the other of these outcomes. This is discussed in the report. Overall, it is considered that the option of a seasonal closure provides the most appropriate balance between utilisation and sustainability.

57 Section 9 of the Act requires the following environmental principles be taken into account when operating under the Act:

(a) *Associated or dependent species should be maintained above a level that ensures their long term viability;*

(b) *Biological diversity of the aquatic environment should be maintained;*

(c) *Habitats of particular significance for fisheries management should be protected.*

58 None of the options considered in this paper would result in any adverse changes to any of the matters raised in these principles.

59 After considering the options presented in this discussion paper, MFish is proposing that a seasonal closure be established for all shellfish species at Cockle Bay. MFish is proposing that this initiative be established as a sustainability measure under Section 11 of the Act to be implemented by a *Gazette* Notice.

60 Section 11 provides that the Minister may from time to time set any sustainability measure for one or more stocks or areas. Subsection (3) provides that a sustainability measure may relate to the fishing season for any stock, area, fishing method or fishing vessel. The proposal is therefore consistent with Section 11 of the Act.

61 Before proposing to set or vary a sustainability measure, MFish must be satisfied that the requirements of section 11 are met.

62 Section 11(1) requires that any effects of fishing on any stock and the aquatic environment, any existing controls, and the natural variability of the stock be taken into account. Cockle Bay is within cockle quota management area COC1C. This extends from Te Arai Point to Cape Runaway. This is the “stock” area within which Cockle Bay sits. The proposal for the establishment of a closed season is likely to have no effect, either positive or negative, at the stock level. It is possible that there may be some displaced fishing effort resulting from a closed season. Care will need to be had in terms of monitoring the shellfish resource at other nearby locations. The closed season is likely to have positive effects at the local level and is intended to ensure that local resources are more sustainable. It is not anticipated that there would be any adverse effects at the local level.

63 In terms of effects on the aquatic environment, a closed season will not alter or change the way in which shellfish are harvested and therefore is unlikely to have any adverse aquatic environment effects. There may be some positive effects in that the foreshore will not be disturbed by shellfish gathers during the closed season.

64 In terms of existing controls, the preferred option would apply to Cockle Bay only and would not affect any other area. During the open season, existing bag limits (for example: 50 cockles per person per day) will apply.

65 In terms of the natural variability of the stock, all shellfish stocks contain a relatively high degree of natural variability. As the control is seeking to limit harvest, there is no concern over the natural variability of the stock.

66 Subsection (2) of Section 11 requires that regard shall be had of the following:

- Any regional policy statement, regional plan, proposed regional plan under the Resource Management Act,
- Any management strategy or management plan under the Conservation Act 1987 that applies to the coastal marine area
- Section 7 and 8 of the Hauraki Gulf Marine Park Act 2000.

Auckland Regional Policy Statement and Auckland Regional Plan: Coastal

67 Both of these instruments guide the Auckland Regional Council, and in the case of the regional policy statement, Manukau City Council, on how to implement their responsibilities under the Resource Management Act (RMA).

68 The Auckland Regional Policy Statement does not provide any special recognition for Cockle Bay whereas the Auckland Regional Plan: Coastal classifies Cockle Bay as a Coastal Protection Area 2 status. This largely recognises that the extensive intertidal flats of the Maungamaungaroa/Waikopua Area are an important feeding area for wading birds. The establishment of a closed season for cockle or shellfish harvesting at Cockle Bay will not affect the purpose of the CPA2 classification nor will the policies of these documents affect the proposal or its likely success.

Conservation Act Strategy and Management Plans

69 The Auckland Conservation Management Strategy (CMS) was approved in 1995 and is currently under review. The Department administers one parcel of land near Cockle Bay, Jolyn Place Marginal Strip. However, this area is located outside the coastal marine area. The proposal will also have no effect on any wildlife or such other matters as administered by the department.

Hauraki Gulf Marine Park Act 2000:

70 Sections 7 and 8 of the Hauraki Gulf Marine Park Act (HGMPA) recognises the national importance of the Hauraki Gulf. Section 7 recognises the interrelationship between the Hauraki Gulf and its catchments. Section 8 sets out six objectives for the management of the Gulf.

71 The management objectives in section 8 cover a range of issues:

- Protecting and where appropriate enhancing the life supporting capacity and the natural, historic and physical resources of the Gulf, including those for which Maori have an historic, traditional, cultural and spiritual relationship;
- Protection of the cultural and historic association of people and communities with the Gulf's natural, historic and physical resources;
- Maintaining and enhancing the contribution natural, historic and physical resources make to people and communities social and economic wellbeing and to their recreational enjoyment.

72 The proposal seeks to protect and enhance the cockle and other shellfish resources of Cockle Bay, now and for the future. It seeks to ensure that the resource is maintained such that it will contribute to the life supporting capacity of the Hauraki Gulf, Maori can continue their relationship with this taonga at this location, and that the resource will be available as a food source for people from both a social and economic wellbeing perspective as well as recreationally. Accordingly, MFish considers the proposal to be consistent with sections 7 and 8 of the HGMPA.

73 Section (2A) requires the Minister to take into account any conservation services or fisheries services, and relevant approved fisheries plan and any decision not to require a conservation service or fisheries service.

74 None of the provisions listed in subsection (2A) apply to this fishery.

75 Accordingly, the proposal is considered to be consistent with section 11 of the Act.

Recommendation

76 MFish proposes to recommend to the Minister that:

- The area of Cockle Bay and its surrounding area shown in the Appendix be closed to the harvesting of all shellfish, as defined by the Fisheries Act 1996, each year from 1 October to 30 April the following year (inclusive).

APPENDIX

Co-ordinates for the boundary of the proposed Cockle Bay seasonal closure to the amateur harvesting of shellfish for the period 1 October to 30 April (inclusive)

Survey Positions

Coordinates:

North1	Pipe at Cliff Base	S36°53.641' E174°56.933'
North2	Pipe End	S36°53.630' E174°56.942'
Stake1	Northernmost Beacon	S36°53.582' E174°57.485'
Stake2		S36°53.691' E174°57.510'
Stake3		S36°53.785' E174°57.552'
Stake4		S36°53.916' E174°57.508'
Stake5		S36°53.993' E174°57.488'
Stake6		S36°54.072' E174°57.479'
SB2	The pole structures off Shelly Beach	S36°54.529' E174°57.313'
SB1	Shelly Beach Foreshore	S36°54.534' E174°57.268'

Aerial photograph showing the area proposed to be subjected to the Cockle Bay closed season control



Hydrographic Chart showing the area proposed to be subjected to the Cackle Bay closed season control

