

The Department recommends that you contact the Department of Conservation permissions office listed below to discuss your application prior to completing the application forms.

This form is to be used when applying for a new permit or the renewal of an existing permit, and where the proposed activity involves viewing marine mammals from a vessel at sea. Examples may include viewing from kayaks, scenic tours which include marine mammal watching, or specific targeted marine mammal viewing trips. This form is to be completed in conjunction with Applicant Information Form 8.

Note:

- If your application also involves marine mammal viewing which is land-based please also fill in Form 8b.
- If your application also involves marine mammal viewing which is aircraft-based please also fill in Form 8c.
- If your application also involves swimming with marine mammals please also fill in Form 8e.
- If you seek a minor amendment to a current permit (i.e. a new boat or new staff member), please fill in the application Form 8f. If you seek an amendment that is more than minor, please contact the office below.

Please complete this application form, providing all information requested in as much detail as possible. Attach **Form 8** and any other applicable forms and information, and send to permissions@doc.govt.nz.

Note:

- Under regulation 10 of the Marine Mammals Protection Regulations 1992, the Department must determine whether or not the application is acceptable and may require the application to be amended. The Department will advise applicants if, and what, amendments are required before this application can be processed by the Department.
- If the application is approved, it is deemed to form part of the permit which is issued and must be complied with accordingly. Your application, therefore, must be clear, complete and accurate.

The Department will process the application and issue a permit if it is satisfied that the application meets all the requirements for granting a permit under the Marine Mammals Protection Regulations 1992.

A. Applicant name (as per Form 8)

Aotearoa Expeditions Limited - trading as Sea Cave Adventures

B. Proposed operation

Species

Specify the marine mammals you propose to encounter:

- all species of whales (including orca and pilot whales)*

all species of dolphins (excluding orca and pilot whales)*

all species of seals*

Excluding:

Bottle Nose Dolphins

Or

the following specified species*

* Please inform yourself as to the current list of moratoria and species or locations of concern prior to making your application.

Location information (refer to Appendix 1 for detailed guidance)

Base of operation:

5 Surf Street, Whitianga 3510 (Boat yard/home office) Departure: Whitianga Wharf.

Departure location (if different to base of operations):

Whitianga Wharf

Proposed area of operation:

Great Mercury Islands to Alderman Islands

Specific locations where contact with marine mammals is proposed:

Great Mercury Islands to Alderman islands

Tour route:

Whitianga wharf to Opito/Great Mercury Island.

Whitianga wharf to Hot water beach/Alderman Islands.

Our tour is flexible and our area of operations will be weather/charter dependant. Our usual coastline is Between Mercury Bay coastline to Hot Water beach but we are expanding our area of operation to take the pressure of hot spots and provide a different style of tour as we have been effected by covid-19 border closures and need to pivot our business in a different direction.

You must attach a map of the proposed area of operation; it must clearly show the boundaries of the area, any specific locations where contact with marine mammals is likely, and expected routes.

Trip details (refer to Appendix 1 for detailed guidance)

Frequency - proposed months of operation:

12 Months a year (All year Round)

Frequency - number of trips per annum:

N/A - we purchased this business in November 2019. We have not had a full year and with current tourism situation an assumption would be a difficult guess.

Frequency - number of trips per day:

Peak Season: Dec 26th - Jan 26th - approx. 3 trips per day

Summer Season: October - March - approx. 2-3 trips per day.

Winter Season: April - October - approx. average 3 trips per week.

Duration of trips:

2-3 hours long

Maximum number of vessels operating at any one time:

1

Maximum number of passengers:

11 pax

Type and number of vessels to be used (refer to Appendix 1 for detailed guidance)

Vessel 1 description:

Vessel name: Ocean 1	Make: Ray Glass
Model: Inflatable RIB	Size: 7m
Carrying capacity:	Colour: White tubes
Motive power: 2x 70hp Yamaha	Construction and hull design: Fiberglass
Planing hull: YES	Displacement hull: NO
Noise levels above sea:	Noise levels below sea:
Maximum speed: 20knots	Normal cruising speed: 15 knots or less

Masters, skippers, guides and other relevant staff (refer to Appendix 1 for detailed guidance)

Please fill in for every staff member who may come into contact with marine mammals throughout the course of the proposed operation.

Full Name: Ashley Lambert

Job Title: Owner/Skipper

Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals? Yes
 No

If "yes", please provide details:

Relevant experience with marine mammals: Qualified In water swim guide for Dwarf Minke Whales and Humpbacks in Australia and Tonga (collectively 8+years) Local knowledge and Skipper for Glass Bottom Boats in Whitianga (marine mammal permit holding company)

Relevant knowledge of the local area and sea conditions: 2 years as a local Dive Instructor for Dive Zone Whitianga. 3 years commercially operating vessel that holds marine mammal permit. Lots of recreational Hours.
Certificate held: Coastal/offshore Masters.

Full Name: Shona Whittaker

Job Title: Owner/Skipper

Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?

Yes
 No

If "yes", please provide details:

Relevant experience with marine mammals: Qualified In water swim guide for Dwarf Minke Whales and Humpbacks in Australia and Tonga (collectively 8+years) Local knowledge and Skipper for Glass Bottom Boats in Whitianga (marine mammal permit holding company)

Relevant knowledge of the local area and sea conditions: 2 years as a local Dive Instructor for Dive Zone Whitianga. 3 years commercially operating vessel that holds marine mammal permit. Lots of recreational hours.
Certificate held: Coastal/Offshore Masters.

Proposed term

You can apply for up to 10 years. However, in some situations a permit may be restricted to a shorter term for the purposes of the conservation, protection or management of marine mammals.

 5 YEARS

C. Additional information (refer to Appendix 1 for detailed guidance)

Maximum time to be spent with marine mammals per individual encounter:

10min

Maximum cumulative time for all encounters with marine mammals during trip:

10min

Nature of the contact with marine mammals:

Primary purpose

Secondary purpose - Chance encounters during tour.

Speeds when approaching and viewing marine mammals:

0-3 knots. Idle/No wake speed.

Behaviour of vessel and orientation of approach relative to marine mammals:

Watch from a distance to gather an understanding of speed and direction of travel. Also noting behaviours and pod size. Approach at idle speed between 200-250 or 110-160 degrees of marine mammals.

Position of vessels relative to marine mammals while viewing:

Approach at idle speed between 200-250 or 110-160 degrees of marine mammals. Do not approach from the front. If marine mammals redirect put vessel into neutral until marine mammals have passed or safely change direction.

Distances to each species:

More than 50m from Whales, More than 50m from seals in water (idle speed)

Distance to the water's edge (for seals or sea lions hauled out on shore):

More than 20m

Behaviour around calves or pups:

Distance of 200m. Give them space and travel in idles speed. Keep an eye on direction of travel so vessel dose not interfere with course.

Speed of departure:

Idle speed away, not exceeding 10kts within 300m of mammals

Behaviour of vessel and departure route relative to marine mammals:

Slowly idle away between 110 - 160 or 200 - 250 degrees of mammals increasing speed to outdistance mammals

What other actions you will take to minimise disturbance of the marine mammals:

Always operate vessel appropriately around mammals.

Inform other recreational vessels and swimmers interacting with marine mammals of the rules and regulations.

Ensure commercial operators and other marine mammal permit holders are being respectful of the rules and regulations.

Provide education to customers on marine life species, behaviour and conservation efforts.

Contribute to marine mammal surveys and behaviour observations, provide information and photos of locally seen pods.

Provide and offer opportunities for DOC or marine biologists to join us on expeditions to collect data/research.

Where applicable, how will groups of kayaks (or similar manually propelled watercraft) be managed in the vicinity of marine mammals?

How kayaks will be positioned relative to each other during approaches and departures:

How kayaks will be grouped together while viewing:

D. Educational material (refer to Appendix 1 for detailed guidance)

Common Dolphins: <https://www.doc.govt.nz/nature/native-animals/marine-mammals/dolphins/common-dolphin/> <https://fs.fish.govt.nz/Page.aspx?pk=37&dk=42&sc=CDD> <https://www.tandfonline.com/doi/pdf/10.1080/00288330.2001.9517007>

Orca <http://www.orcaresearch.org/wp-content/uploads/2011/08/Visser-2007-Killer-whales-in-NZ-waters-SC-59->

NZ Fur Seals <https://www.doc.govt.nz/nature/native-animals/marine-mammals/seals/nz-fur-seal/facts/>
<https://www.doc.govt.nz/nature/native-animals/marine-mammals/seals/nz-fur-seal/threats/>

Humpback Whales <https://www.doc.govt.nz/nature/native-animals/marine-mammals/whales/humpback-whales/>

Brydes Whales <https://www.newzealand.com/int/article/10-facts-you-didnt-know-about-brydes-whales/>
<https://www.projectionah.org.nz/T>

Other

<https://www.srknowledge.org.nz › research-completed › effects-of-tourism...>
<https://ref.coastalrestorationtrust.org.nz/site/assets/files/7928/the-marine-mammal-action-plan.pdf>

DOC website: <https://www.doc.govt.nz/nature/native-animals/marine-mammals/>

APPENDIX 1

GUIDANCE INFORMATION FOR FILLING IN THE FORM

Location information

“Base of operation” - specify the port, marina, or launching site where passengers would board the vessel (note: this may not necessarily be the same location where the booking office is located).

“Proposed area of operation” - provide a written description of the general extent of the operation – please specify the boundaries (e.g. key landmarks) and the location as it is generally known; e.g. Pelorus Sound or Otago Harbour.

“Specific locations where contact with marine mammals is proposed” – you need to list any particular sites you will visit where marine mammals are known or expected to be encountered; e.g. seal colony sites and/or specific localities where dolphins are known to occur.

Trip details

Clearly identify where there are seasonal differences in the trip details.

Type and number of vessels to be used

If you have more vessels than the spaces provided please copy the fields and paste to the bottom of the table in the section.

Masters, skippers, guides and other relevant staff

If you have more staff members than the spaces provided please copy the fields and paste to the bottom of the table in the section.

Additional information

Please be specific for each class of marine mammal or for individual species.

Maximum time spent with marine mammals per individual encounter:

“Encounter” means being less than 300 metres from a marine mammal.

Nature of the contact with marine mammals:

“Primary purpose” means the operation’s main focus is to seek out and encounter marine mammals e.g. whale- watching tours and swim-with-dolphin tours.

“Secondary purpose” means that viewing marine mammals is not the operation’s main focus but will still be viewed if encountered; e.g. certain scenic cruises, water taxis.

Educational material

Please briefly describe the educational aspects of the proposed operation and supply any proposed educational material, copies of brochures or information booklets as an attachment (note, these may be returned if requested).