

# Proposed amendment to Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary

A proposal to improve the effectiveness of the Marine Mammal Sanctuary by removing one of the current management measures: the marine mammal safe zones

**Public consultation document**

*Tuhinga take kōrero*



Department of  
Conservation  
*Te Papa Atawhai*

## Background

The establishment of Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary in November 2021, introduced management measures (rules) to regulate human interactions with marine mammals, specifically bottlenose dolphins.

The Department of Conservation (DOC) co-designed the Sanctuary with Ngā Hapū o Pēwhairangi ('Ngā Hapū'), a collective of coastal hapū who exercise manamoana and kaitiakitanga over the coastal waters of the Bay.

DOC is committed to co-management of the Sanctuary with Ngā Hapū, who meet to discuss management issues as Ngā Hapū o Pēwhairangi Marine Mammal Protection Advisory Committee Rōpū.

### The current Sanctuary management measures are:

- People must keep out of the water within 300m of all marine mammals (dolphins, whales, seals);
- Vessels must maintain a 300m distance from all marine mammals and stop if the person in charge becomes aware of any marine mammal closer than 300m. Vessels must remain stopped until any marine mammal is more than 300m away; and
- Vessels must observe a 5-knot speed limit in two marine mammal safe zones.

Since the Sanctuary was established, we have undertaken a monitoring programme to collect data on dolphin activity and levels of compliance with the management measures.

As part of the Sanctuary's creation, we committed to regularly reviewing the effectiveness of these measures to ensure they achieve their intended purpose.



# Scientific research findings since the establishment of the Sanctuary

## Scientific monitoring of the Sanctuary

A scientific monitoring programme for the Sanctuary was initiated after establishment in 2021, conducting research on the use of the Sanctuary by bottlenose dolphins and also how people comply with the Sanctuary management measures.

Two scientific studies were published in 2025, both monitored dolphin use of the safe zones. Drawing on decades of data, the NIWA/Far Out report highlights the pressures dolphins face in the Bay and underscores the need for long-term, evidence-based conservation efforts.

The reports also showed that, except for commercial operators holding a marine mammal permit, compliance with the Sanctuary management measures was mixed. Compliance with the prohibition on swimming with dolphins was good, but most vessels did not adhere to rules around speed restrictions within the safe zones.

## The NIWA/Far Out report concluded:

- All vessels observed complied with the Sanctuary rule prohibiting swimming with marine mammals.
- Aside from commercial operators holding a marine mammal permit, compliance with the Sanctuary restrictions around vessel interactions and speed limits within the safe zones was generally poor. Powered vessels rarely adhered to the speed restrictions.
- Areas of importance for the dolphins in the Bay have remained relatively stable over decades. Acoustic monitoring found that dolphins are rarely present within the safe zones, with high-use areas largely outside the safe zones.

The NIWA/Far Out report can be accessed here: [niwa-farout-boi-bottlenose-fullreport-final.pdf](https://www.niwa.govt.nz/media/document/niwa-farout-boi-bottlenose-fullreport-final.pdf)

## The TriOceans report concluded:

- While dolphins were being tracked from land near the safe zones, they spent 83% of their time outside the safe zones. The observation points were intentionally placed where the safe zones could be seen and as dolphins will also use areas outside the safe zones which were not visible from the observation point, the 83% is almost certainly an underestimate.
- Compliance with the rules within the safe zones was poor and powered recreational vessels were compliant with speed restrictions only 42% of the time.

The Tri Oceans report can be accessed here: [tri-oceans-land-based-monitoring-report-te-pewhairangi.pdf](https://www.dca.govt.nz/media/document/tri-oceans-land-based-monitoring-report-te-pewhairangi.pdf)

## Reviewing the effectiveness of the Sanctuary management measures

### DOC Sanctuary Review

A non-statutory review was completed by DOC in March 2025 to evaluate the Sanctuary's effectiveness since its establishment. As well as assessing ecological, compliance, education and operational data, the review highlighted practical steps DOC could take to better protect dolphins and other marine mammals in the Sanctuary.

The report highlighted issues with vessel compliance within the safe zones but due to the short time since establishment of the Sanctuary, it was not possible to evaluate long-term demographic changes of bottlenose dolphins or draw any firm conclusions on the efficacy of the management measures at that stage, about three years after establishment.

### Key recommendations from the review included:

- expand compliance efforts to combat the low levels of vessel compliance within the safe zones; and
- undertake regular bottlenose dolphin surveys to assess key metrics of population health including calf survival and number of dolphins using the Sanctuary.

The DOC non-statutory review can be accessed here:  
[te-pewhairangi-marine-mammal-sanctuary-review-report-final.pdf](#)

### Caring for Te Pēwhairangi – Bay of Islands: An oceans reform case study

In September 2025, the Environmental Defence Society (EDS) released its latest oceans reform case study: Caring for Te Pēwhairangi – Bay of Islands. The report highlights the extraordinary natural and cultural values of the Bay of Islands and the need to address a number of environmental issues.

The study describes the significant decline in bottlenose dolphin numbers and questions the rationale for the two safe zones given the broad use of the Bay by dolphins. The study suggests that the use of such static zones for a mobile species is not an effective strategy.

### Key recommendations from the study included:

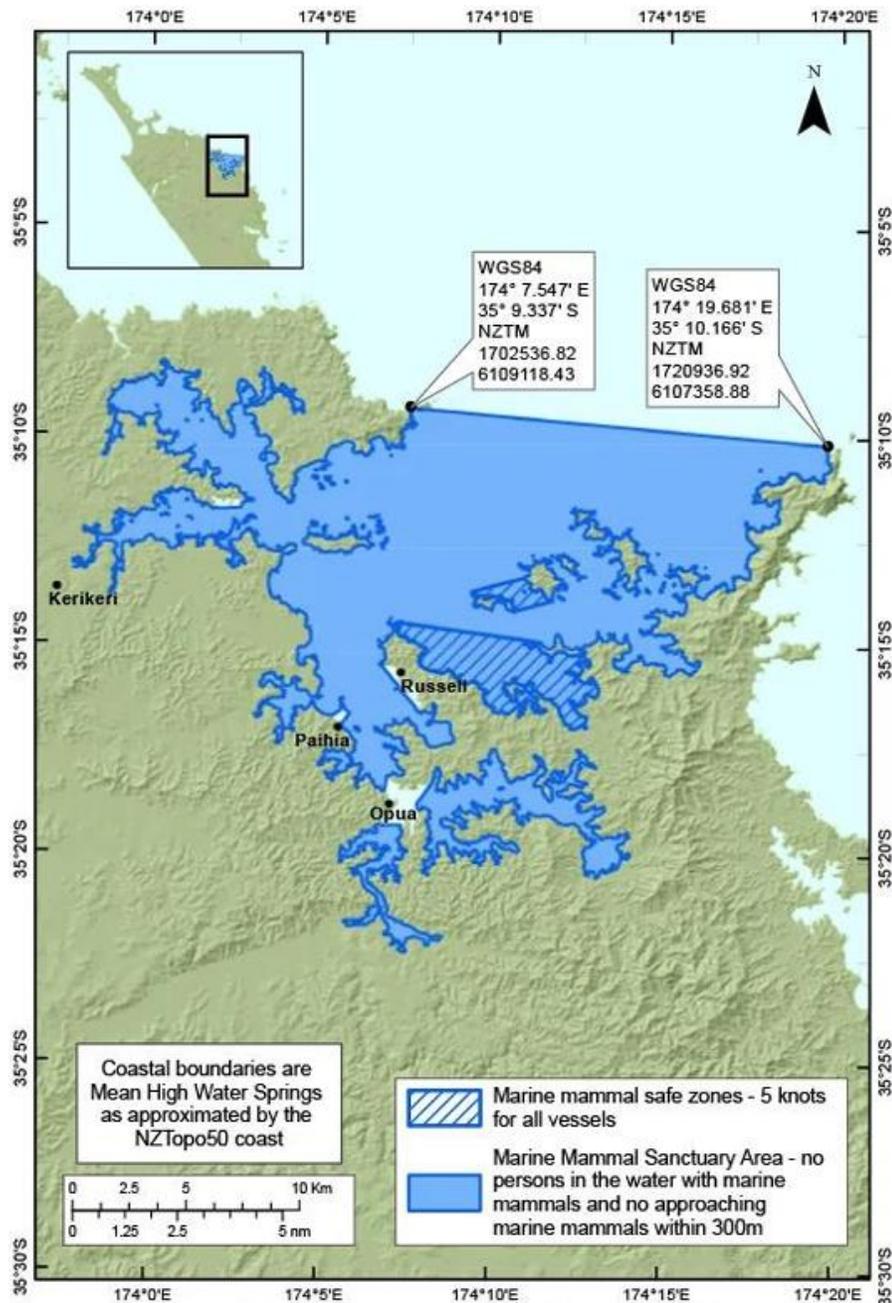
- review and improve our enforcement effort to ensure the rules are followed; and
- review and improve the efficacy of the management measures, if monitoring indicates that the dolphins are still being negatively impacted by boating activity.

The case study can be accessed here:  
[Caring for Te Pēwhairangi – Bay of Islands: An oceans reform case study | EDS](#)

## Map of Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary

Within the Marine Mammal Sanctuary are two **marine mammal safe zones** with the following outward facing boundaries in the sea area:

1. The first marine mammal safe zone being between Motuarohia Island (Roberton Island) and Moturua Island, following mean high-water springs and bound by two limits:
  - a. commencing at approximately 174° 9.384' E, 35° 13.716' S (northern point of Motuarohia Island) running in a straight line in a generally easterly direction to approximately 174° 10.907' E, 35° 13.380' S (southern point of Mangahawea Bay on Moturua Island); and
  - b. commencing at approximately 174° 11.726' E, 35° 13.932' S (Pupuha Point, southern Moturua Island) running in a straight line in a generally westerly direction to approximately 174° 10.631' E, 35° 14.181' S (south-eastern point of Motuarohia Island);
2. The second marine mammal safe zone being sea area between Tapeka Point and Whangaiwahine Point following mean high-water springs and bound from approximately 174° 7.200' E, 35° 14.479' S (Tapeka Point) running in a straight line in an easterly direction to approximately 174° 11.276' E, 35° 14.908' S (Whangaiwahine Point).



Map of Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary

# Proposal: Improve the effectiveness of the Marine Mammal Sanctuary by removing one of the current management measures: the marine mammal safe zones

## Rationale

The decision to include the two safe zones in 2021 was based on the best information available, however, if evidence shows something isn't working as intended, we adjust. Nature is constantly changing, so our management needs to be flexible too. This means we shouldn't be afraid to try new approaches or change existing ones when monitoring tells us they're not delivering the results we need.

The Sanctuary will continue to add real value by safeguarding a critical area for marine mammals while responding to emerging information and changing environmental pressures. By taking a dynamic approach to management and adapting our measures over time, we are **strengthening ongoing protection** and **ensuring the Sanctuary continues to deliver meaningful outcomes for marine mammals now and for future generations.**

**Marine mammals have a dynamic distribution**, they move around the Sanctuary depending on many factors such as seasonality and location of their food supply. This can limit the effectiveness of fixed areas like the two safe zones.

Recent **scientific monitoring** has shown that bottlenose dolphins rarely use the safe zones. High-use areas for dolphins are predominantly outside the safe zones but still within the Sanctuary boundaries. This suggests that focussing our efforts on enforcement of the 5-knot speed limit within the two safe zones, **might not be the most effective way to support the recovery of dolphin populations.**

**Compliance data** shows poor adherence to the 5-knot speed limit in the safe zones, which reduces their effectiveness. In contrast, Sanctuary-wide measures – such as the 300m approach limit and stop-and-wait requirements – continue to provide strong protection where dolphins are present.

Removing the safe zones will enable us to **provide protection where it matters most: around marine mammals, wherever they go.**

Bottlenose dolphins in Te Pēwhairangi / Bay of Islands are in the presence of vessels for a significant portion of the day, previously estimated at an average of 86% of daylight hours. This varies seasonally but remains higher than other areas year-round. Research indicates that dolphins rest, forage and travel much less in the presence of vessels. This is likely to impact their long-term health.

Removing the safe zones would not compromise the effectiveness of the Sanctuary as a whole, instead, it would allow DOC to focus compliance and enforcement resources on the remaining **dolphin-centric, high-value management measures.**

**Proposal: removal of the two safe zones, focus compliance efforts on the remaining high-value management measures:**

- People must keep out of the water within 300m of all marine mammals (dolphins, whales, seals).
- Vessels must maintain a 300m distance from all marine mammals and stop if the person in charge becomes aware of any marine mammal closer than 300m. Vessels must remain stopped until any marine mammal is more than 300m away.



# Proposed amendment to Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary



Consultation opens 2 March 2026

## Our vision

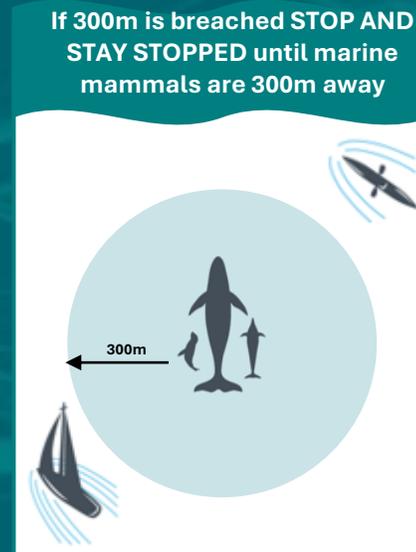
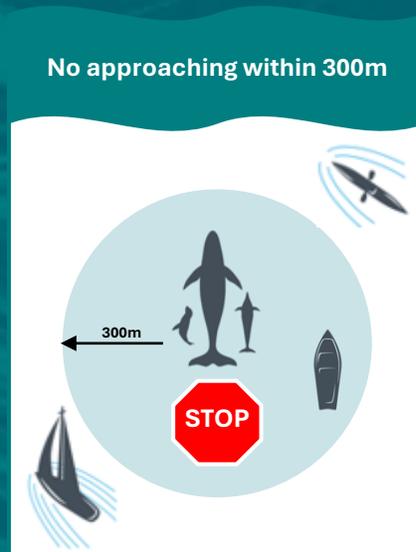
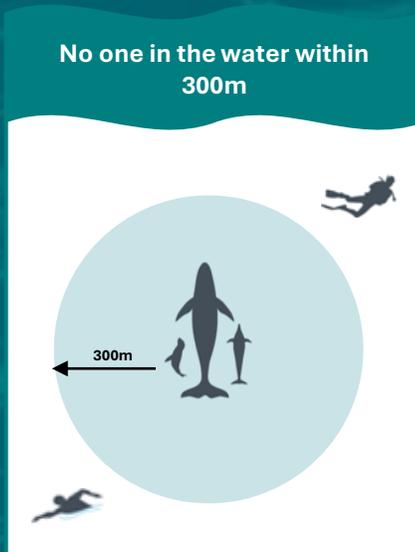
A thriving, sustainable Te Pēwhairangi Bay of Islands Marine Mammal Sanctuary, which supports the recovery of marine mammal populations within the Bay.

## Our proposal

Remove the two safe zones which provide limited protection for dolphins.

## Our desired outcomes

Focus of effort on education, advocacy and enforcement of the remaining management measures



There will be no change to the remaining management measures that provide high value protection.



Strengthened co-management partnership with Ngā Hapū o Pēwhairangi



More marine mammals in Te Pēwhairangi Bay of Islands Marine Mammal Sanctuary.



## Have your say

A notice will be placed in the New Zealand Gazette for a proposed amendment to the Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary.

Public consultation will begin on Monday, 2 March 2026 and run for 28 days, concluding at 11.59pm on Monday, 30 March.

If you are whānau, hapū or iwi who exercise kaitiakitanga in the area, you should say so in your submission so that the Minister can give particular regard to your views.

### *Question to consider when providing feedback*

Are you in favour or against the removal of the safe zones? If so, why, or why not?

## How to make a submission

To make a submission, please use the online portal: [Have your say](#).

If you are unable to make an electronic submission, you may wish to make a written submission which includes the following information:

- Your name and title.
- Your email address.
- Your organisation's name (if you are submitting on behalf of an organisation).
- Your response to are you in favour or against the removal of the safe zones? If so, why, or why not?

### Written submissions should be mailed to:

Consultation: Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary  
Department of Conservation  
Private Bag 3072, Hamilton 3240

Submissions can also be emailed to [boimms@doc.govt.nz](mailto:boimms@doc.govt.nz).

### Official Information Act

Please note that any submission you make will become public information and that anyone can ask for copies of all submissions under the Official Information Act 1982.

The Official Information Act states that we must make information available unless there is a good reason for withholding it, and provides a list of such reasons in sections 6, 9 and 18. If you think there is a good reason to withhold specific information, please state this in your submission. A good reason may include commercial confidentiality or that it is personal information.

Note that any decision that is made by The Department of Conservation Te Papa Atawhai to withhold information can be reviewed by the Ombudsman, who may require the information to be released.

## What happens next

### After submissions close:

- DOC will collate all submissions received between 2 March – 30 March 2026.
- DOC and Ngā Hapū o Pēwhairangi Marine Mammal Protection Advisory Committee Rōpū will analyse all submissions received to form recommendations.
- DOC and Ngā Hapū o Pēwhairangi Marine Mammal Protection Advisory Committee Rōpū will make a recommendation to the Minister of Conservation based on key findings from the submissions received.
- The Minister will then make a decision on the proposed amendment and seek consent from other relevant Ministers.
- Submissions will be published online.

### For more information

- [Bottlenose dolphin: New Zealand marine mammals](#)





Make your submission here: [Have your say](#)

