

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](mailto: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.

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## A. Applicant name (as per Form 8)

Fiordland Expeditions Ltd

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## 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:

Or

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

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## Location information (refer to Appendix 1 for detailed guidance)

Base of operation:

Based from Doubtful Sound

Departure location (if different to base of operations):

Deep Cove

Proposed area of operation:

Fiordland from Yates Point to Puysegur Point

Specific locations where contact with marine mammals is proposed:

As per Appendix A1, A2 and A3

Tour route:

As per Appendix A1, A2 and A3

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**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.

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## Trip details (refer to Appendix 1 for detailed guidance)

Frequency - proposed months of operation:

All year

Frequency - number of trips per annum:

365/annum

Frequency - number of trips per day:

2 per day

Duration of trips:

We operate Doubtful Sound Overnight Cruises and Multi-day extended trips year-round. The overnight trips operate daily through the summer season. Charters can be anything from 1 day to 7 or more but most are 5 nights duration.

Maximum number of vessels operating at any one time:

2 motorised vessels + 14 kayaks. It is unlikely they would operate in tandem.

Maximum number of passengers:

30 + Crew

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

### Vessel 1 description:

Vessel name: Tutoko	Make: Gough Bros - Monohull
Model:	Size: 17m 42 GRT
Carrying capacity: 10 + 2	Colour: Steel Grey hull with white topsides
Motive power: Twin Diesel	Construction and hull design: Steel Monohull
Planing hull: <input type="checkbox"/>	Displacement hull: <input checked="" type="checkbox"/>
Noise levels above sea: 84dB max	Noise levels below sea:
Maximum speed: 10 knots	Normal cruising speed: 7 – 9 knots

### Vessel 2 description:

Vessel name: Tutoko II	Make: Ewebank – Monohull
Model:	Size: 20m 105 GRT Power Monohull
Carrying capacity: 16 + 3	Colour: Steel Grey hull with white topsides
Motive power: Twin Diesel	Construction and hull design: Steel Monohull
Planing hull: <input type="checkbox"/>	Displacement hull: <input checked="" type="checkbox"/>
Noise levels above sea: 82dB Max	Noise levels below sea:
Maximum speed: 11 knots	Normal cruising speed: 7 – 9 knots

### Vessel 3 description:

Vessel name:	Make:
Model:	Size:
Carrying capacity:	Colour:
Motive power:	Construction and hull design:
Planing hull: <input type="checkbox"/>	Displacement hull: <input type="checkbox"/>
Noise levels above sea:	Noise levels below sea:
Maximum speed:	Normal cruising speed:

### 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: Richard Thomas Abernethy	Job Title: Director – Skipper
Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If “yes”, please provide details:	
Relevant experience with marine mammals: well in excess of 20 years	
Relevant knowledge of the local area and sea conditions: In excess of 20 years	

Full Name: David John Spiers	Job Title: Skipper
Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If “yes”, please provide details:	
Relevant experience with marine mammals: In excess of 10 years	
Relevant knowledge of the local area and sea conditions: 9 years with Fiordland Expeditions	

Full Name:	Job Title:
Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If “yes”, please provide details:	
Relevant experience with marine mammals:	
Relevant knowledge of the local area and sea conditions:	

Full Name:	Job Title:
Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If “yes”, please provide details:	
Relevant experience with marine mammals:	
Relevant knowledge of the local area and sea conditions:	

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## 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

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

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

Please see map in Appendix A1 for locations described below:

#### Seals

30 minutes at any location.

#### Milford Sound (Internal Waters)

**No viewing** of Humpback Whales, Southern Right Whales or Orca.

*All other cetacean species:* Maximum of 2 x 5-minute encounter per individual / group.

#### Rest of Fiordland (Internal Waters)

*Bottlenose Dolphins:* Cumulative viewing time of 15 minutes.

*Orca:* Cumulative viewing time of 15 minutes.

*Humpback Whales:* Cumulative viewing time of 15 minutes.

*Southern Right Whales:* Cumulative viewing time of 15 minutes.

*All other cetacean species:* Cumulative viewing time of 30 minutes per individual / group of marine mammals.

#### Outer Coast (External Waters)

*Bottlenose Dolphins:* Cumulative viewing time of 15 minutes.

*Orca:* Cumulative viewing time of 15 minutes.

*All other cetacean species:* Cumulative viewing time of 30 minutes per species.

#### Cumulative Viewing for Rest of Fiordland and Outer Coast Combined

*Bottlenose Dolphins:* Cumulative viewing time of 15 minutes.

*Orca:* Cumulative viewing time of 15 minutes.

*All other cetacean species:* Cumulative viewing time of 30 minutes per species.

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

As detailed above under Section C - 'Maximum time to be spent with marine mammals per individual encounter'.

Nature of the contact with marine mammals:

Primary purpose

Secondary purpose

Speeds when approaching and viewing marine mammals:

Part 3 18 (l) of the Marine Mammal Protection Regulations 1992 would apply subject to subclause (m)

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

From the side and slightly behind.

Position of vessels relative to marine mammals while viewing:

Depends on species.

Distances to each species:

At least 50 metres away from any whale (including orca and pilot whales).

At least 200 metres away from any baleen or sperm whale mother and calf.

At least 20 metres from seals on shore.

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

At least 20 metres. Move away if mammals become disturbed.

Behaviour around calves or pups:

Avoid and slowly move away.

Speed of departure:

Vessels shall move away at a slow 'no wake' speed until 300m distance.

Behaviour of vessel and departure route relative to marine mammals:

Vessels must slowly increase speed to a maximum of 10 knots, but with no intent on encouraging them to follow, until 300m.

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

No rubbish to be disposed over the side and noise kept to a minimum. Require that clients do not make noise to attract.

**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:

Where kayakers explore together they are encouraged to close up when approaching mammals and not to splash their paddles on the water or make noises to attract them.

How kayaks will be grouped together while viewing:

As above, kayakers are advised to group together or raft up when near each other with mam

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

Fiordland Expeditions hold brochures aboard their vessels, attend DOC workshops on mammal viewing and skipper provide education through their commentary.

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## **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.

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#### **Trip details**

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

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#### **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.

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#### **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.

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#### **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.

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#### **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).