

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 Advisor (Support)

Private Bag 4715

Christchurch Mail Centre

Christchurch 8140

Ph +64 3 371 3700

Email: permissionschristchurch@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)

Cathedral Cove Cruises Ltd

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*

Bottle Nose as per North Island exclusion zone

* 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:

Whitianga New Zealand and Mercury Bay. We depart from Whitianga wharf and travel past Shakespeare cliff and Cooks Beach. We enter the marine reserve at Mussel Rock and travel east past Cathedral Cove and Hahei. Longer tours go past Hahei through Wigmore's pass and Champagne Bay. Tours finish at Orua Cave close to Hot Water beach.

Departure location (if different to base of operations):

As above

Proposed area of operation:

Mercury Bay to Hot Water beach

Specific locations where contact with marine mammals is proposed:

Dolphins and Orca are seen random locations as diverse as Whitianga harbour entrance and anywhere in between there and Orua cave and in the area of operation in the confines of Mercury Bay. Seals also occasionally seen in transit of fishing in the same area. There are 2 or three haul out areas on and in the marine reserve at Motueka and Mahurangi. Seals are only in the region between May and September. Seals at the haul out are sleeping and totally ignore us as we pass by.

Tour route:

Whitianga to Orua Sea cave

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

Frequency - number of trips per annum:

Unknown due to booking irregularities and weather

Frequency - number of trips per day:

3 per day

Duration of trips:

1 ½ to 2 ½ hours

Maximum number of vessels operating at any one time:

1

Maximum number of passengers:

14 passengers 2 crew. We tend to limit mixed booking tours to 12 and private family tours to 14 Crew for the majority of the years is just myself, over the new year period I employ a student to assist me.

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

Vessel 1 description:

Vessel name: Ocean 2	Make: Rayglass
Model: Protector	Size: 8.5m
Carrying capacity: 16	Colour: Orange/White
Motive power: Outboard	Construction and hull design: RIB
Planing hull: <input checked="" type="checkbox"/>	Displacement hull: <input type="checkbox"/>
Noise levels above sea: unknown	Noise levels below sea: unknown
Maximum speed: 35kn	Normal cruising speed: 18kn

Vessel 2 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:

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: Ken Hindmarsh	Job Title: Owner/Operator
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: Casual viewing over 40 years of boating	
Relevant knowledge of the local area and sea conditions:	
30 years diving and fishing around Mercury Bay 4 years commercial boating in Mercury Bay	

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:	

Full Name:	Job Title:
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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:

Relevant knowledge of the local area and sea conditions:

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.

10 years

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

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

10 – 15 min. NB we only encounter whales or dolphins and whales approx. 20 times per year

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

30 min. Our tours are a maximum of 2 ½ hours, We have very limited time on the tour to take to much time with the dolphins.

Nature of the contact with marine mammals:

Primary purpose

Secondary purpose viewings are random and not offered as part of the operation

Speeds when approaching and viewing marine mammals:

Less than 5kn

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

No wake speed

Position of vessels relative to marine mammals while viewing:

Behind direction of travel

Distances to each species:

Dolphins 300m 50m for large whales

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

20m

Behaviour around calves or pups:

I cant find reference to this in the smart book other than for whales. We will leave them be as quietly as possible

Speed of departure:

Below 5kn until 300m away. We have found that the Dolphins actually seek us out as we increase speed and like to play in the surf at the rear of the boat. I have made a conscious effort here not to slow the boat when they do this as they sit very close to the back of the boat. I have observed that most pods have a plan of travel and will only play with a boat if the direction of travel and speed suit them. After about 50 or 100 meters the dolphins will peel off and carry on their way. We can then increase speed to travel safely from the pod

Behaviour of vessel and departure route relative to marine mammals:

We tend to observe the activity of the dolphins and there are often sub groups of younger mammals that surround the boats so choosing a direction of departure can be tricky at times when the pod is a big one and their mood is for play. When this is the option we tend to power off and sit and wait. The dolphins will come and check us out but soon look for something else to entertain them and that gives us a chance to quietly increase speed and depart

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

Eliminate loud noise operate on 1 engine or turn engines off after 1 min. We don't have loud noises on the boat no radios are playing. I have seen recreational boats playing loud music and the dolphins react to this. We try and eliminate gear change and will turn the engine off if need be, I think probably in the case of 4 stroke the engine start is the loudest operation so will mostly leave one on to assist departure and start the other one once we have a bit of separation

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:

n/a

How kayaks will be grouped together while viewing:

n/a

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

We are keen to carry and distribute educational material to others that may be in the vicinity of marine mammals. Having a permit will give me reason to advise others and distribute information on the rules of encounter.

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).