

The Department recommends that you contact the Department of Conservation permissions office listed below to discuss the application prior to completing the application forms. Please provide all information requested in as much detail as possible. The Department will advise you if further information is required before this application can be processed by the Department.

This form is only to be used when the activity you wish to do:

- involves only filming of marine mammals with a drone; and
- involves filming a marine mammal closer than 150m horizontally and would contravene regulation 18(h) in Part 3 of the Marine Mammals Protection Regulations 1992.

Please complete this application form, 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

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 Act 1978.

A. Applicant name (as per Form 8)

Sam Kynman-Cole (topVIEW Photography)

B. Proposed Filming Operation (please read Appendix 1)

Purpose, outputs and benefits of the proposed filming

Please note the purpose of the filming activity (advertisement, movie, documentary etc), and describe in detail the proposed filming activity.

For non-commercial purposes to promote awareness of marine mammals and the regulations regarding human behaviour around them. I have recently assisted DOC with footage for two compliance cases. The first showed a kayaker swimming with an orca, and the second showed a boat speeding through a dolphin pod three times. I would also like to obtain permission to film dolphins and whales in the future.

Proposed term

(Up to three years)

3 years

Location information

Base of operation:

Army Bay, Whangaparaoa

Proposed area or areas of operation:

Auckland

Specific locations where contact with marine mammals is likely:

Whangaparaoa Peninsula

Species

Marine mammals you propose to encounter and film:

- ✓ all species of whales
- ✓ all species of dolphins
- ✓ all species of seals

Please specify the species you intend to target at each location

Filming details

Please provide the following additional information where applicable. Please be thorough and include relevant information for each species of marine mammal. In particular, describe how you intend to mitigate any potential adverse effects on marine mammals.

When do you propose to undertake filming at each location?
(please be as specific as possible, including dates and times during the day)

N/A - when they naturally come within viewing distance from the land (drone take-off from land)

Maximum time spent with marine mammals per individual encounter:

20 minutes maximum

Maximum cumulative time with marine mammals during a day:

80 minutes maximum

How will you approach, film and depart from marine mammals using a drone?

Approach speed

Less than 10km an hour

Horizontal distance from marine mammals in the water

0m

Horizontal distance from seals on land

N/A

Height above sea level during transit along the coast or across the sea

10m

Height above sea level while filming marine mammals

Variable (4 metres - 120 metres)

Orientation of approach

From behind and to the side

What other actions you will take to minimise disturbance

No filming of seals on land

I will monitor the behaviour and ensure that I am not disturbing them. If they appear disturbed I will slowly increase the height of the drone and distance from the mammals and return to land.

Type and number of drones (Copy and paste details for additional drones)

Maximum number of drones operating at any one time:

1

Model: DJI Phantom 4	<p>Noise level: User information on a Phantom 3 (older model) kperkins1982 3 points 7 months ago</p> <p>Baseline: 38db with no drone running 48db with my neighbors loud heat pump unit running</p> <p>I ran through 10-50-100-200-300-400 sound levels a few times and averaged the results</p> <table border="1"> <tr><td>10 feet</td><td>73db</td></tr> <tr><td>50 feet</td><td>58.5db</td></tr> <tr><td>100 feet</td><td>54.5db</td></tr> <tr><td>200 feet</td><td>49.5db</td></tr> <tr><td>300 feet</td><td>45db</td></tr> <tr><td>400 feet</td><td>43db</td></tr> </table>	10 feet	73db	50 feet	58.5db	100 feet	54.5db	200 feet	49.5db	300 feet	45db	400 feet	43db
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Drone Operator(s)

Please fill in for every person that may come into contact with marine mammals throughout the course of the proposed filming. (Copy and paste details for additional crew)

Full Name: Samuel Kynman-Cole	Job Title: Photographer at TopView Photography and Digital Campaign Manager at Yellow
Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?	No
Relevant experience with marine mammals: I have operated the drone around marine mammals on two occasions – and the footage obtained was supplied to DOC. In addition, I have encountered marine mammals on many occasions while sailing.	
Relevant knowledge of the local area and sea conditions: I have extensive knowledge of sea and weather conditions from my yachting background and am familiar with the local coastline.	

C. Other

Is there any further information you wish to supply in support of your application?

I have recently assisted DOC with footage for two compliance cases. The first showed a kayaker swimming with an orca, and the second showed a boat speeding through a dolphin pod three times. As such I would be interested in a fee waiver or reduction for this permit based on my assistance to DOC.