

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)

Hahei Explorer Limited

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:

Bottlenose Dolphins

* 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:

48 Hahei Beach Rd, RD1, Hahei 3591, Whitianga (Booking Office)

Departure location (if different to base of operations):

Hahei Beach, Hahei (Boat Launch Location 1)

Purangi Regional Reserve, Cooks Beach (Boat Launch Location 2)

NB; Weather dependence on which departure location used

Proposed area of operation:

Mercury Bay coastline between Cooks Beach and the southern end of Hot Water Beach

Specific locations where contact with marine mammals is proposed:

Mercury Bay coastline off Cooks Beach, Hahei Beach and Hot Water Beach

Tour route:

Our Tour Route ranges from Whitianga Harbour Mouth to the Southern End of Hot Water Beach including islands close to Hahei.

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

Frequency - number of trips per day:

Peak Season

6 trips per boat per day (3 boats) - This only occurs from 26th Dec to 15th Jan (3 weeks)

Summer Season

6 trips per boat per day (2 boats) between 30th October to 31st March

Winter Season

4 trip per boat per day (1 boat) between 1st April and 29th October

see brochure: <https://goo.gl/uZom7z>

Duration of trips:

1 hour

Maximum number of vessels operating at any one time:

2 viewing marine mammals

Maximum number of passengers:

28

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

Vessel 1 description:

Vessel name: Hahei Explorer

Make: Southern Pacific

Model: 480 RIB	Size: 4.8m
Carrying capacity: 9	Colour: White
Motive power: 90hp Yamaha Outboard 2014	Construction and hull design: Fibreglass RIB
Planing hull: <input type="checkbox"/> Yes	Displacement hull: <input type="checkbox"/>
Noise levels above sea: 67 Decibels (Idle)	Noise levels below sea:
Maximum speed: 25kts	Normal cruising speed: 15-20kts

Vessel 2 description:

Vessel name: Hahei Explorer I	Make: Smuggler
Model: Strata	Size: 5.5m
Carrying capacity: 11	Colour: White
Motive power: 115 Yamaha Outboard 2018	Construction and hull design: Fibreglass RIB
Planing hull: <input type="checkbox"/> Yes	Displacement hull: <input type="checkbox"/>
Noise levels above sea: 67 Decibels (Idle)	Noise levels below sea:
Maximum speed: 25kts	Normal cruising speed: 15-20kts

Vessel 3 description:

Vessel name: Hahei Explorer II	Make: Smuggler
Model: Strata	Size: 5.5m
Carrying capacity: 11	Colour: White
Motive power: 115 Yamaha Outboard 2018	Construction and hull design: Fibreglass RIB
Planing hull: <input type="checkbox"/> Yes	Displacement hull: <input type="checkbox"/>
Noise levels above sea: 67 Decibels (Idle)	Noise levels below sea:
Maximum speed: 25kts	Normal cruising speed: 15-20kts

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: Shane Allen Harnett	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"/> No
If "yes", please provide details:	
Relevant experience with marine mammals: Previous permit holder for 10 years in same area	
Relevant knowledge of the local area and sea conditions: 15 years commercially operating in area	

Full Name: Timothy James Bright	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"/> No
If "yes", please provide details:	
Relevant experience with marine mammals: Have been guiding and skippering in the area for the past 8 years.	
Relevant knowledge of the local area and sea conditions: See above	

Full Name: Michael Jonathon Taylor

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?

No

If "yes", please provide details:

Relevant experience with marine mammals: Kayak Guide and Skipper in area for last 5 years

Relevant knowledge of the local area and sea conditions: See above

Full Name: Thomas Alban Bromhead

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?

No

If "yes", please provide details:

Relevant experience with marine mammals: Kayak Guide and Skipper in Area for last 6 years

Relevant knowledge of the local area and sea conditions: See above

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 min

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

10 min

Nature of the contact with marine mammals:

Chance sightings during our 1hour Cathedral Cove coastal tour.

Secondary purpose

Speeds when approaching and viewing marine mammals:

0 - 3kts (idle, no wake speed)

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

Approach at idle speed between 110 - 160 or 200 - 250 degrees of mammals

Position of vessels relative to marine mammals while viewing:

No more than 90 - 160 or 200 - 270 degrees of mammals (never in front). If mammals turn towards vessel, stop, and put vessel into neutral until mammals have passed or turned away

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:

No closer than 200m

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:

Informing other recreational vessels and swimmers currently with the marine mammals of the rules and making sure they are giving them space.

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

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

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

<https://www.primetv.co.nz/ocean-predators-catch-up> (Episode 1: Orca)

<http://www.orcaresearch.org/wp-content/uploads/2011/08/Visser-2007-Killer-whales-in-NZ-waters-SC-59-SM19.pdf>

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/Teacher+Resources/Dolphins++Whales/Brydes+whale.html>

Other

<https://core.ac.uk/download/pdf/45449297.pdf>