

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)

FIORDLAND DISCOVERY 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*

* 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:

MILFORD SOUND (OFFICE BASED IN QUEENSTOWN)

Departure location (if different to base of operations):

Proposed area of operation:

FIORDLAND AND STEWART ISLAND

Specific locations where contact with marine mammals is proposed:

WHOLE OF FIORDLAND AND STEWART ISLAND

Tour route:

PRIMARILY BOAT CRUISE OF MILFORD SOUND (CRUISE ALONG SOUTHERN SIDE OF FIORD OUT TO MOUTH OF TASMAN SEA, THEN RETURN TO MOORING AT DEEPWATER COVE VIA THE NORTHERN SIDE OF THE FIORD), PLUS CHARTERS TO SOUTHERN FIORDS AND STEWART ISLAND.

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:

**PLEASE SEE BELOW FOR DETAILS

7.5 MONTHS IN MILFORD SOUND, 3.5 MONTHS REST OF FIORDLAND AND/OR STEWART ISLAND,

PLUS 4 WEEKS ANNUAL SURVEY

****DUE TO COVID-19, OUR SCHEDULE HAS BEEN ALTERED TO RUN OUR MULTIDAY CHARTERS IN SOUTHERN FIORDLAND AND STEWART ISLAND UNTIL DEC 2021 WHEN WE PLAN TO RETURN TO OUR USUAL OPERATING SCHEDULE OF RUNNING OVERNIGHT CRUISES IN MILFORD SOUND OVER THE SUMMER MONTHS****

Frequency - number of trips per annum:

UP TO 400 TRIPS IN MILFORD SOUND (2 TRIPS PER DAY PLUS OCCASIONAL HELI LUNCH CRUISE, included in the 400 trips))

16 MULTIDAY CHARTERS OVER 3.5 MONTHS = 16 TRIPS PER ANNUM

****FROM JUNE 2020 WE NOW PLAN TO OPERATE OUR 6 NIGHT/7 DAY CHARTERS IN FIORDLAND AND STEWART ISLAND UNTIL DECEMBER 2021. FINAL SCHEDULE STILL TO BE COMPLETED BUT WILL BE APPROX 50 TRIPS FOR 2021****

Frequency - number of trips per day:

2 TRIPS PER DAY IN MILFORD

Duration of trips:

APPROXIMATELY 2 – 2.5 HOURS IN MILFORD SOUND IN AFTERNOON

APPROXIMATELY 1.5 HOURS IN MILFORD SOUND IN MORNING

MULTIDAY TRIPS – 7 DAYS

Maximum number of vessels operating at any one time:

1 motorised vessel

1 tender

8 kayaks

Maximum number of passengers:

20 FOR OVERNIGHT CRUISES AND MULTI DAY CHARTERS

CONCESSION FOR UP TO 50 ON LUNCH CRUISE (USUALLY LESS THAN 10 THOUGH)

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

Vessel 1 description:

Vessel name: FIORDLAND JEWEL

Make: SEACAT

Model: SEACAT 24

Size: 23.95m

Carrying capacity: 50	Colour: BLUE HULL, WHITE SUPERSTRUCTURE
Motive power: SCANIA 550HP	Construction and hull design:
Planing hull: <input type="checkbox"/>	Displacement hull: <input type="checkbox"/>
Noise levels above sea: SEE ATTACHED LETTER	Noise levels below sea: SEE ATTACHED LETTER
Maximum speed: 14 KNOTS	Normal cruising speed: 8 KNOTS

Vessel 2 description:

Vessel name: Tender	Make: Osprey
Model:	Size: 4.5m
Carrying capacity: 6 pax	Colour: Grey metal
Motive power:	Construction and hull design: Alloy
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: Kayak x 8	Make:
Model:	Size:
Carrying capacity: 1 pax	Colour: Various
Motive power: Paddle	Construction and hull design: Plastic
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: ROBERT JOHN SWALE	Job Title: CEO/HEAD 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: 40 YEARS OF WORKING ON VESSELS IN FIORDLAND, BOTH AS DECKHAND AND SKIPPER, COMMERCIAL AND NON-COMMERCIAL. FURTHER INFORMATION ATTACHED BELOW	
Relevant knowledge of the local area and sea conditions:	
40 YEARS EXPERIENCE IN FIORDLAND AND STEWART ISLAND	
Full Name: DAVE BARRACLOUGH	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: OVER 7.5 YEARS WORKING AS SKIPPER IN FIORDLAND ON CHARTER VESSELS – ALMOST DAILY ENCOUNTERS WITH MARINE MAMMALS	
Relevant knowledge of the local area and sea conditions: 7.5 YEARS WORKING AS SKIPPER IN	

FIORDLAND ON CHARTER VESSELS

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?

Yes
 No

If "yes", please provide details:

Relevant experience with marine mammals:

Relevant knowledge of the local area and sea conditions:

Full Name: JACK SWALE

Job Title: CREW/DECKHAND

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: SEVERAL YEARS AS FISHING CREW FOR ROB SWALE DURING SCHOOL HOLIDAYS. ALMOST 4 YEARS ABOARD FIORDLAND JEWEL

Relevant knowledge of the local area and sea conditions: AS ABOVE, PLUS TRAINING SPECIFIC TO MILFORD AND FIORDLAND OPERATIONS.

Proposed term

You can apply for up to 5 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

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

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

DEPENDS ON SPECIES AND LOCATION. PLEASE SEE BELOW FOR FURTHER DETAILS:-

SEALS – 30 MINS AT ANY LOCATION. MINIMUM OF 20M FROM WATER'S EDGE

BOTTLENOSE DOLPHINS – UP TO A MAX OF 2 X 5 MIN ENCOUNTERS PER TRIP IN INTERNAL WATERS OF MILFORD SOUND, REST OF FIORDLAND AND STEWART ISLAND UP TO CUMULATIVE VIEWING TIME OF 15 MINS PER TRIP

ORCA – VIEWING PROHIBITED IN MILFORD SOUND INTERNAL WATERS. REST OF FIORDLAND AND STEWART ISLAND VIEWING UP TO CUMULATIVE TIME OF 15 MINS PER TRIP

HUMPBACK WHALES AND SOUTHERN RIGHT WHALES – PROHIBITED IN MILFORD SOUND. REST OF FIORDLAND AND STEWART ISLAND - INTERNAL WATERS – 15 MINS, EXTERNAL WATERS – 30 MINS CUMULATIVE VIEWING

OTHER DOLPHIN AND WHALE SPECIES – MAXIMUM OF 2 X 5 MINS ENCOUNTERS PER

INDIVIDUAL/PER TRIP IN MILFORD SOUND.

REST OF FIORDLAND AND STEWART ISLAND – UP TO CUMULATIVE VIEWING TIME OF 30 MINS PER TRIP

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

NO LIMIT

Nature of the contact with marine mammals:

Primary purpose

Secondary purpose

Speeds when approaching and viewing marine mammals:

WITHIN 300 METRES, A CONSTANT SLOW SPEED, NO FASTER THAN THE SLOWEST MARINE MAMMAL, AT IDLE OR 'NO WAKE' SPEED

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

AT NO TIME WILL THE VESSEL CUT OFF THE PATH OF A MARINE MAMMAL OR NOT ALLOW THEM TO LEAVE THE AREA AROUND THE VESSEL. NO PERSON NOR THE VESSEL WILL HARASS OR DISTURB THE MAMMAL IN ANY WAY.

Position of vessels relative to marine mammals while viewing:

AT A POSITION PARALLEL OR SLIGHTLY TO THE REAR OF THE MAMMAL AND CONSCIOUS OF NOT INTERFERING WITH THEIR NATURAL BEHAVIOUR.

Distances to each species:

WHALES – 50 METRES (200 METRES FROM FEMALE BALEEN OR SPERM WHALE WITH CALF)

DOLPHINS AND SEALS – MINIMUM OF 300 METRES IF MORE THAN 3 VESSELS PRESENT, OTHERWISE OBSERVE REGULATIONS RE. SPEED.

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

NO CLOSER THAN 20 METRES.

Behaviour around calves or pups:

EXTRA CARE TO BE TAKEN NOT TO DISTURB SEALS ON LAND WHEN THEY HAVE PUPS AND ALSO EXTRA CARE AROUND DOLPHIN CALVES AND THEIR MOTHERS – SLOWER SPEED

Speed of departure:

IDLE OR 'NO WAKE' SPEED UNTIL 300 METRES AWAY, OR GRADUAL INCREASE UP TO 10 KNOTS MAXIMUM TO OUTDISTANCE DOLPHINS

Behaviour of vessel and departure route relative to marine mammals:

AS ABOVE WITH REGARDS TO SPEED AND PARALLEL/SLIGHTLY TO THE REAR OF MAMMALS.

NO SUDDEN TURNS OR CUTTING ACROSS PATHS OF MAMMALS.

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

NO FEEDING OR RUBBISH TO BE THROWN IN THE WATER. NO LOUD NOISES DURING ENCOUNTER. NEVER PROCEED THROUGH A POD AND BE ALERT FOR SIGNS OF DISTRESS. (i.e. TAIL SLAPPING OR AVOIDANCE) . EDUCATION OF ALL STAFF/CREW, PLUS INFORM GUESTS OF APPROPRIATE BEHAVIOUR.

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:

CLOSE TOGETHER, APPROACHING SLOWLY AND MAINTAINING MINIMUM DISTANCE.

How kayaks will be grouped together while viewing:

RAFTED UP, SIDE BY SIDE – MINIMUM DISTANCE OF 20 METRES

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

CREW AND SKIPPER VERBALLY TELL GUESTS ABOUT THE MAMMALS, BEFORE, DURING AND AFTER ENCOUNTERS AND GENERALLY DURING THE CRUISE, REGARDLESS OF WHETHER ANY MARINE MAMMALS ARE SIGHTED.

WE ALSO HAVE AN EXTENSIVE LIBRARY ON BOARD FOR OUR GUESTS TO ENJOY AT ANY TIME, FROM THE HISTORY OF FIORDLAND TO SPECIFIC BOOKS ON FLORA AND FAUNA, AS WELL AS THE FIORDLAND MARINE GUARDIANS BOOKLET “BENEATH THE REFLECTIONS.”

ADDITIONAL BACKGROUND FOR ROB SWALE:-

ROB HAS OPERATED IN FIORDLAND FOR MOST OF HIS LIFE, WITH REGULAR ENCOUNTERS WITH MANY SPECIES OF MARINE MAMMALS, BOTH IN A COMMERCIAL AND NON-COMMERCIAL CAPACITY, AS FISHERMAN, DIVER AND CHARTER OPERATOR. HE IS EXTREMELY FAMILIAR AND RESPECTFUL OF THEIR BEHAVIOUR AND HABITS AND IS KEEN TO SHARE THIS KNOWLEDGE WITH STAFF AND GUESTS ALIKE.

HE HAS BEEN PREVIOUSLY NOMINATED BY LAUREL TEIRNEY TO BE A MARINE GUARDIAN OF FIORDLAND IN RECOGNITION OF HIS LIFELONG ASSOCIATION WITH AND PASSION FOR THE AREA.

