

A proposal to establish a marine mammal sanctuary
in Te Pēwhairangi (Bay of Islands)

Public consultation document
Tuhinga take kōrero



Department of
Conservation
Te Papa Atawhai

**A proposal to establish a marine mammal sanctuary in
Te Pēwhairangi (Bay of Islands). Public consultation document.**

Department of Conservation
34 Landing Road,
Kerikeri 0230
New Zealand

April 2021



Editing and Design:

Creative Services Team, Department of Conservation

This work is licensed under the Creative Commons Attribution 4.0 International licence. In essence, you are free to copy, distribute and adapt the work, as long as you attribute the work to the Crown and abide by the other licence terms.

To view a copy of this licence,

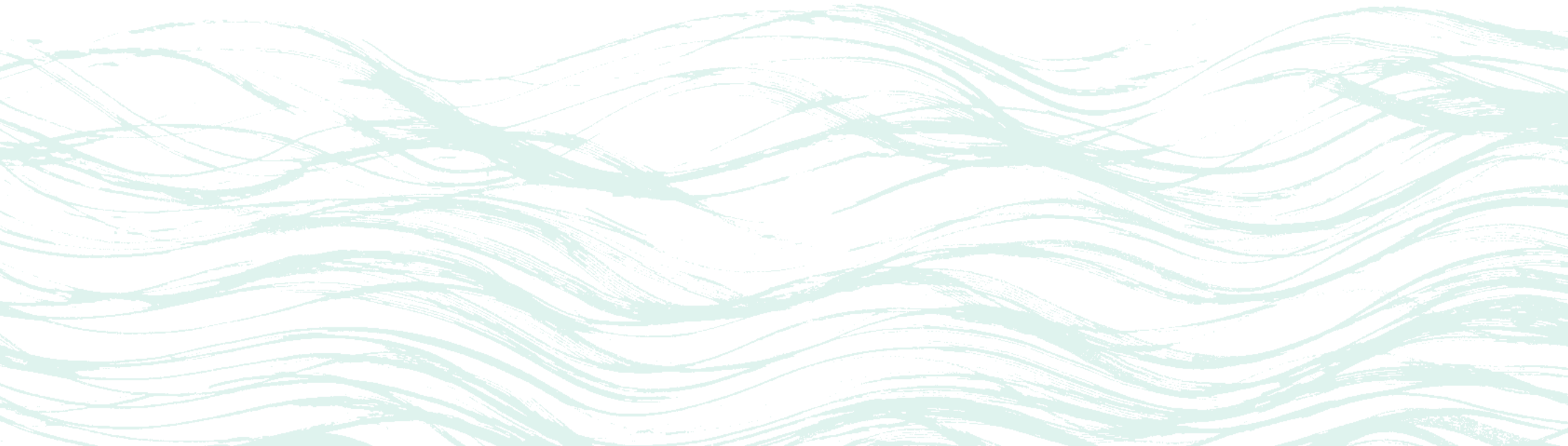
www.creativecommons.org/licenses/by/4.0

R209805

A proposal to establish a marine mammal sanctuary
in Te Pēwhairangi (Bay of Islands)

Public consultation document

Tuhinga take kōrero





Contents

Foreword Whakataki kōrero	2
1. The problem Ngā āwangawanga.....	3
Background Tuarongo.....	4
Te Pēwhairangi (Bay of Islands) – a marine mammal mecca	4
Mātauranga Māori and the management of Te Pēwhairangi (Bay of Islands) marine mammals.....	5
Working in partnership Mahinga rangapū.....	5
Treaty of Waitangi.....	5
The problem is defined by two key issues	6
2. The proposal Kaupapa kōrero	10
Problem	11
Objectives.....	11
Options.....	11
Proposed solution Ngā whakataunga.....	12
What are the implications of a sanctuary? He aha ngā whakaritenga mō te tūrāhui?.....	15
Costs and benefits of the proposed sanctuary Ngā utu me ngā hua o te tūrāhui	17
3. Submissions (and next steps) Ngā tuku kōrero	18
We want your feedback	19
Questions to consider in providing feedback on the proposal:.....	19
Next steps Aha atu	20



Foreword

Whakataki kōrero

Tēnā koutou katoa

Bottlenose dolphins and other marine mammals are an iconic species in Te Pēwhairangi (Bay of Islands). Sadly, their numbers are declining at an alarming rate. We know that the dolphins and other marine mammals are spending too much time in the company of humans. Without urgent action, the bottlenose dolphins may become locally extinct as soon as 2022. Fortunately, we have a window of opportunity to ensure their protection.

This proposal has been developed by a roopu (group) of Ngā Hapū o te Pēwhairangi (Hapū of Te Pēwhairangi (Bay of Islands)) and the Department of Conservation Te Papa Atawhai.

Your feedback will help ensure that your views are taken into account in deciding on this proposal. We all have a role to play in shaping the development of this important mahi (work).

I look forward to hearing from you.

Hon Dr Ayesha Verrall
Acting Minister of Conservation

Thank you for your interest in protecting the marine mammals in Te Pēwhairangi (Bay of Islands). This document shares the details of the proposed sanctuary. It has the following sections:

1 The problem Ngā āwangawanga

Section one covers:

- ▶ Background on the matter
- ▶ Department of Conservation Te Papa Atawhai and hapū partnership
- ▶ Defining the problem

2 The proposal Kaupapa kōrero

Section two is the core of this document. It covers:

- ▶ The proposed solution: the marine mammal sanctuary proposal overview
- ▶ Process for considering how the proposal would be implemented
- ▶ Cost benefit analysis

3 Submissions Ngā tuku kōrero

Section three covers:

- ▶ Information about how to make a submission
- ▶ The process for considering a marine mammal sanctuary proposal
- ▶ Future management should one be declared



1. The problem

Ngā āwangawanga

Background

Tuarongo

Te Pēwhairangi (Bay of Islands) – a marine mammal mecca

Te Pēwhairangi (Bay of Islands) is a marine mammal mecca, with prominent tourism, seasonal visitors and cultural ties. Both iconic and lesser known species frequently visit the area. This includes:

- ▶ blue whale (*Balaenoptera musculus*)***
- ▶ bottlenose dolphin (*Tursiops truncatus*)*
- ▶ Bryde's whale (*Balaenoptera brydei*)*
- ▶ common dolphin (*Delphinus delphis*)
- ▶ false killer whale (*Pseudorca crassidens***)
- ▶ killer whale (*Orcinus orca***)
- ▶ humpback whale (*Megaptera novaeangliae*)
- ▶ NZ fur seal (*Arctocephalus forsteri*)
- ▶ pilot whale (*Globicephala* sp.)

Under the New Zealand Threat Classification Scheme these are classed as:

- * Threatened (Nationally Critical and Nationally Endangered),
- ** At Risk
- *** Data Deficient

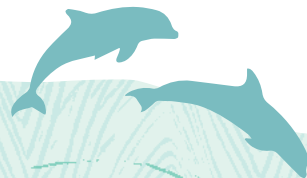
Marine mammals have a special place in New Zealand's natural and cultural heritage, particularly with tangata whenua. Bottlenose dolphins are tohu (symbols) for Ngā hapū o te Pēwhairangi that measure the health of the wider marine ecosystem in Te Pēwhairangi (Bay of Islands).

In addition, encounters with Te Pēwhairangi bottlenose dolphins and other marine mammals are a primary focus of tourism in the area.

Te Pēwhairangi (Bay of Islands) is an important location as it provides a nursery habitat for marine mammals. They frequently spend time within the boundary of Tapeka Point and Whangaiwahine Point, and between Motuarohia (Robertson) and Moturua Islands.



Common dolphin adult and calf. Photo: Catherine Peters



Mātauranga Māori and the management of Te Pēwhairangi (Bay of Islands) marine mammals

Mana whenua have extensive knowledge of Te Pēwhairangi (Bay of Islands) marine mammals – their life cycles, roles and interrelationships within ecosystems and tikanga/cultural practices.

Acknowledging whakapapa and including mātauranga Māori is key to managing marine mammals in Te Pēwhairangi (Bay of Islands). As stated by Robert Willoughby, Te Pēwhairangi hapū member:

Mātauranga Māori encompasses a holistic world view. It starts from the heavens, comes down to earth and covers everything in between. Our ancestors imparted knowledge to us in waiata, legends and chants and there are words that keep being emphasised like whakapapa, mauri, oranga and kaitiakitanga. These all have relevance to the current kaupapa in front of us right now and are a major part of the long-term solution we are seeking. However, He Whakaputanga 1835 and Te Tiriti o Waitangi 1840, Article 2, is also part of our narrative. Without delving into the details and the vastness of that history, it may just suffice to say that the intention and spirit of Te Tiriti was and still is to work together in partnership and to build a great nation.

Through this proposed marine mammal sanctuary, Mana Whenua and the Crown would have a perfect opportunity to set an example of working together on a common goal and to achieve a worthy outcome which is to protect and sustain our taonga, the dolphins.



Working in partnership Mahinga rangapū

The bottlenose dolphin is a taonga species for Te Pēwhairangi hapū. They are kaitiaki, protectors (guardians) of our people. Tohunga were known to call the dolphins. They are a gauge on the health of our fishery and moana and represent the closeness of the whānau.

Treaty of Waitangi

The Department of Conservation Te Papa Atawhai and the Minister of Conservation both have specific responsibilities to Māori in terms of:

- ▶ Section 4 of the Conservation Act 1987; and
- ▶ Te Takutai Moana Act 2011.

Under section 4 of the Conservation Act 1987, the Department of Conservation Te Papa Atawhai is required to give effect to the principles of the Treaty of Waitangi.

Under Te Takutai Moana Act 2011, any whānau, hapū or iwi who consider they exercise kaitiakitanga in the proposed sanctuary area have a right to participate in the process and provide their views on the proposal.

The Minister of Conservation must have particular regard to the views of affected whānau, hapū and iwi in considering the proposal.



The problem is defined by two key issues

A The bottlenose dolphin population is declining in Te Pēwhairangi (Bay of Islands), where uniquely high levels of interactions with people and vessels are affecting all marine mammals.

B Marine Mammals Protection Regulations do not adequately address interactions between people, vessels and marine mammals.

A

The bottlenose dolphin population is declining in Te Pēwhairangi (Bay of Islands), where uniquely high levels of interactions with people and vessels are affecting all marine mammals.

There are multiple subpopulations of bottlenose dolphins in New Zealand waters. Te Pēwhairangi (Bay of Islands) subpopulation is declining at a higher rate than any other subpopulation in the country;

There has been extensive study and research into the declining bottlenose dolphin population in Te Pēwhairangi (Bay of Islands).

Findings include:

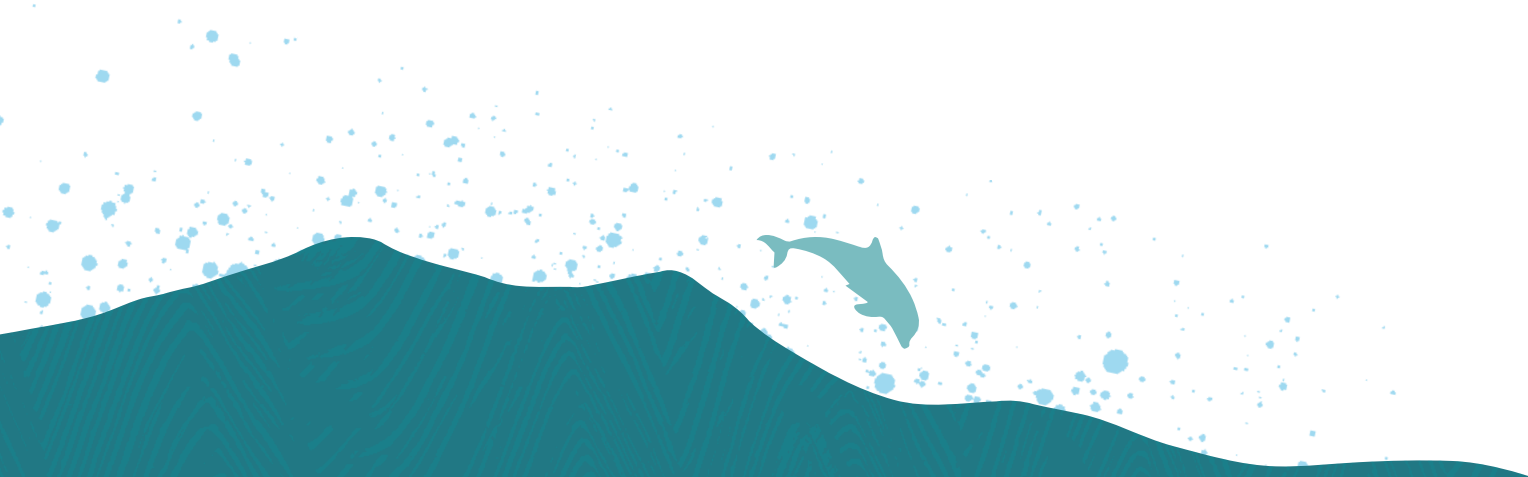
- ▶ The bottlenose population has declined significantly, from 278 in 1997 to 26 in 2020.
- ▶ Of these 26 individuals, only 16 now frequently visit Te Pēwhairangi (Bay of Islands).
- ▶ 75% of all calves die before reaching adulthood.
- ▶ No new calves were born during calving season (December–March) in 2019/20.
- ▶ In Te Pēwhairangi (Bay of Islands), bottlenose dolphins spend on average 86% of daylight hours in the presence of at least one vessel.
- ▶ After interacting with people and vessels, the dolphins take up to 6 hours to return to normal behaviour.
- ▶ With decreasing numbers of bottlenose dolphins, other marine mammals visiting Te Pēwhairangi (Bay of Islands) now face the same pressures as the focus shifts to them.

The near-constant presence of people and vessels around bottlenose dolphins in Te Pēwhairangi (Bay of Islands) disrupts normal behaviours critical for survival, such as resting and feeding. This can cause stress, reduce reproductive success and make the dolphins prone to illness, which may have led to high calf mortality and subsequent decline in numbers.

Researchers have concluded that if pressures on marine mammals are not managed effectively, Te Pēwhairangi bottlenose subpopulation may become locally extinct by 2022.

Three major vessel groups interact with bottlenose dolphins in Te Pēwhairangi (Bay of Islands):

MMPR permitted commercial maritime operators	Commercial maritime operators	Recreational
<p>Tourism operators that have permits to take visitors to view dolphins year-round under the Marine Mammals Protection Regulations 1992 (MMPR).</p>	<p>For example: sailing, fishing and diving charters, scenic tours, ferries, commercial fishing and cruise ships.</p> <p>They do not sell a dolphin trip but may see marine mammals by chance. These commercial operators have a presence year-round in Te Pēwhairangi (Bay of Islands).</p> <p>These operators currently can only be restricted by the MMPR.</p>	<p>Recreational vessels (local residents and visiting tourists) using boats, jet skis, paddleboards, kayaks etc.</p> <p>During summer, the majority of interactions with bottlenose dolphins are with recreational vessels. On multiple occasions the Department of Conservation Te Papa Atawhai has recorded up to 60 vessels, predominantly private, attempting to interact with a pod of dolphins.</p>
<p>No MMPR permits are held by hapū.</p>	<p>This would include commercial vessels owned by hapū and commercial hapū fishing vessels.</p>	<p>This includes recreational vessels undertaking customary fishing, visiting cultural sites.</p>



The Bay of Islands bottlenose dolphin population is crashing.



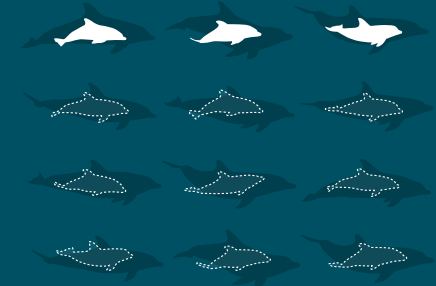
We're loving the dolphins too much.

The Bay of Islands bottlenose dolphins spend 86% of their day with boats.



We're loving the dolphins too much.

Of 12 bottlenose dolphin calves born in the Bay of Islands, only 3 survived (2012-2015).



In 2019/2020 no new calves were born.

We're loving the dolphins too much.

B

Marine Mammals Protection Regulations do not adequately address interactions between people, vessels and marine mammals.

The MMPR regulate vessels in terms of their numbers, behaviour and distances around marine mammals.

In addition, the regulations allow for swimming with dolphins, if no juveniles are present. Swimming with dolphins poses significant risks to the dolphins because it requires closer vessel approaches. It is not uncommon for foraging or resting dolphins to be approached by vessels multiple times a day for swimming, causing them to change their behaviour over long periods of time. It is also difficult for the public to determine the age of a dolphin, and therefore swimming with juveniles occurs regularly, despite the MMPR restricting this.

Even with full compliance and further education about MMPR, bottlenose dolphins would still spend most of their day in the presence of people and vessels (up to three vessels at a time within 300 m are permitted).

The MMPR are unable to adequately address the area-specific issues in Te Pēwhairangi (Bay of Islands), leading to the decline of the bottlenose dolphin subpopulation. Area-specific issues include the level of MMPR breaches, effects of cumulative interactions and the burden of proof required to prosecute breaches of the MMPR. Refer to the document **‘Supporting information on Te Pēwhairangi (Bay of Islands) marine mammal sanctuary proposal’** for more detail on these matters. Any review of the MMPR will also be unlikely address the area-specific challenges to marine mammals in Te Pēwhairangi (Bay of Islands) and will take too long to do.

We need to act quickly to protect the bottlenose dolphins of Te Pēwhairangi (Bay of Islands).



Bottlenose dolphin and false killer whale group in the Bay of Islands. *Photo: Catherine Peters*



Fur seals on rocks.
Photo: Catherine Peters

2. The proposal Kaupapa kōrero

Problem

- ▶ The bottlenose dolphin subpopulation is declining in Te Pēwhairangi (Bay of Islands), where uniquely high levels of interactions with people and vessels are affecting all marine mammals.
- ▶ Marine Mammals Protection Regulations 1992 do not adequately address people and vessel interactions with marine mammals in Te Pēwhairangi (Bay of Islands).

Objectives

- ▶ Halt and reverse the decline of the Te Pēwhairangi (Bay of Islands) bottlenose dolphin subpopulation.
- ▶ By 2026, 50% of bottlenose dolphin calves are surviving until to adulthood.
- ▶ By 2026, bottlenose dolphins are spending equal amounts of time resting, foraging, travelling and socialising.
- ▶ By 2026, northeastern coast marine mammal species are visiting Te Pēwhairangi (Bay of Islands) at least once every 2 years.
- ▶ Te Pēwhairangi (Bay of Islands) is recognised nationally and internationally as an important area for marine mammals.

Options

- ▶ Review of the current regulatory regime (the MMPPR). This will not address the specific challenges to marine mammals in Te Pēwhairangi (Bay of Islands) and will take too long to implement.
- ▶ Other options were considered but were found to be non-feasible and discounted. These are discussed in more detail in the **‘Supporting information on Te Pēwhairangi (Bay of Islands) marine mammal sanctuary proposal’** document.
- ▶ A marine mammal sanctuary with restrictions tailored to address the high levels of vessel interactions in Te Pēwhairangi (Bay of Islands) was identified as the most effective way to protect the dolphins and other marine mammals.

Proposed solution

Ngā whakataunga

The Minister of Conservation proposes a new marine mammal sanctuary in Te Pēwhairangi (Bay of Islands) to address the problems above (Maps 1 & 2). The following restrictions within the sanctuary are proposed:

1. Prohibition on swimming (i.e being in the water) within a 400 m distance of marine mammals within the boundaries of the marine mammal sanctuary.
2. Maintain a 400m distance from any marine mammal present within the boundaries of the marine mammal sanctuary:
 - If your vessel is not in compliance with this (ie – you become aware that there are marine mammals within 400m of your vessel) you are required to take all reasonable measures to stop and allow animals to pass to 400m away.
3. Speed for all vessels is to be restricted to 5 knots at all times in the two proposed marine mammal safe zones.

Definition

Vessel means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes: (a) a barge, lighter, or other like vessel; (b) a hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates; (c) a submarine or other submersible; (d) a seaplane while it is on the surface of the water.

Exemptions

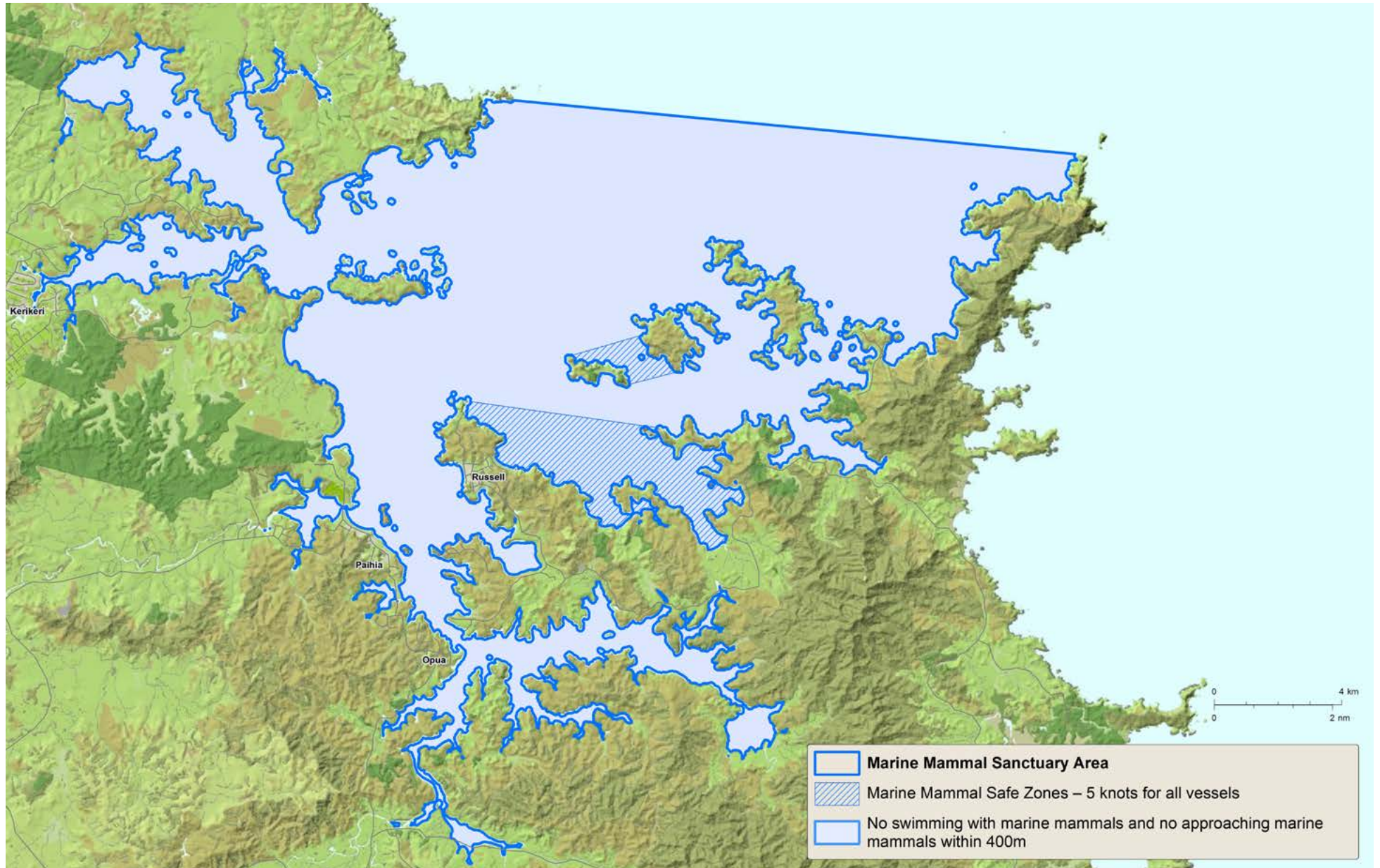
The following vessels would be exempted from all restrictions in the proposed sanctuary:

- a. any vessel involved in a maritime emergency or undertaking a maritime emergency role;
- b. any vessel undertaking research under the Marine Mammals Protection Act 1978;
- c. any vessel undertaking a compliance role (including the Department of Conservation Te Papa Atawhai under the Marine Mammals Protection Act 1978, Maritime Police, Customs, Ministry for Primary Industries, Northland Regional Council);
- d. any Harbourmaster vessel;
- e. any Navy vessel.

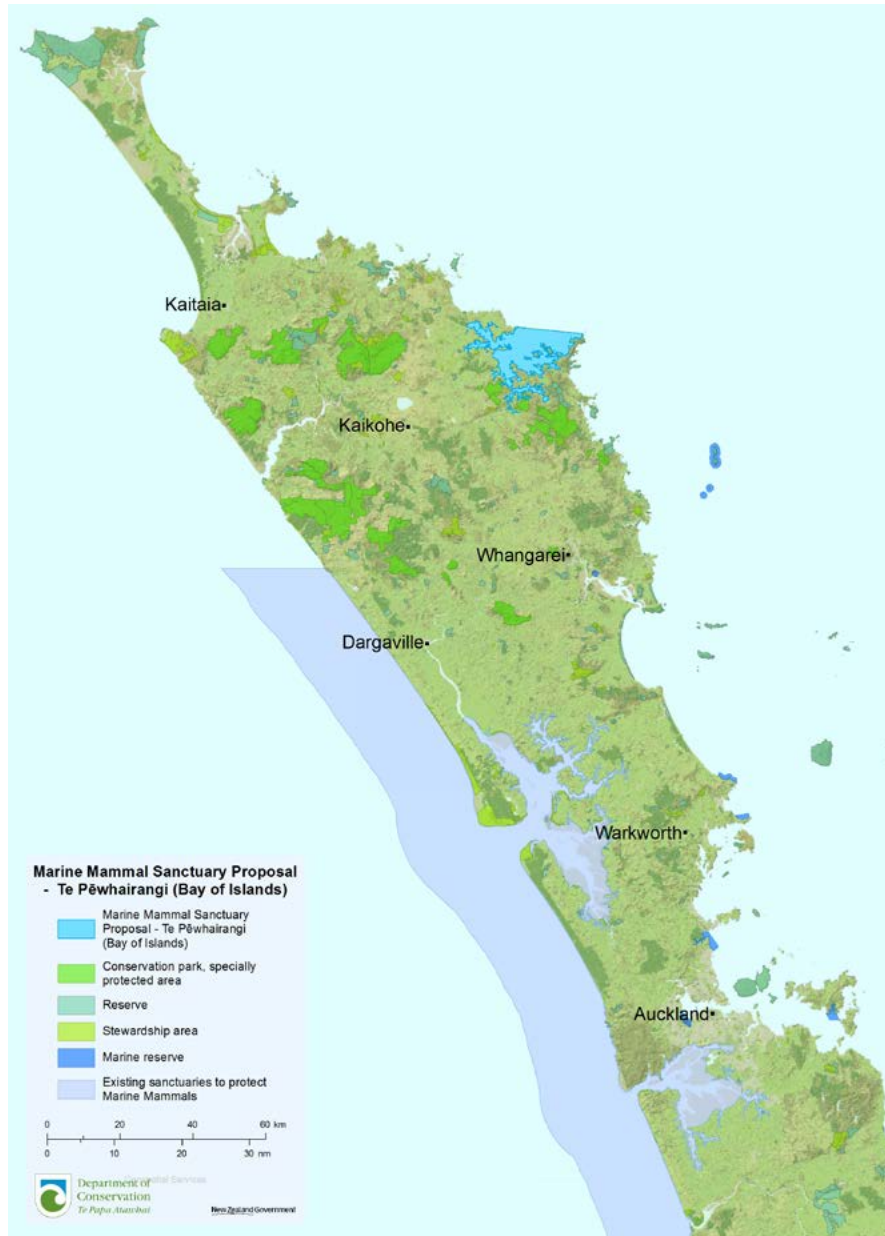
Any vessel with an existing marine mammal viewing permit under the Marine Mammals Protection Act 1978 would be exempt from proposed restriction 2.

Please refer to map 1 for location of the marine mammal sanctuary boundary and location of marine mammal safe zones.

Map 1. The proposed Te Pēwhairangi (Bay of Islands) marine mammal sanctuary



Map 2. Location of the proposed Te Pēwhairangi (Bay of Islands) marine mammal sanctuary





Bottlenose dolphin in the bay of Islands. Photo: Catherine Peters

What are the implications of a sanctuary? He aha ngā whakaritenga mō te tūrāhui?

Proposed restrictions	Overview and rationale	Who might this affect?
<p>1. Prohibition on being in the water with any marine mammal within the boundaries of the marine mammal sanctuary.</p>	<p>Swimming with dolphins is one of the activities causing the most negative effects on bottlenose dolphins in Te Pēwhairangi (Bay of Islands).</p> <p>The Marine Mammals Protection Regulations 1992 currently only prevent swimming with juvenile dolphins.</p> <p>Not allowing any swimming with dolphins would avoid confusion in identifying juvenile dolphins and misidentification of species. It would also address aggressive boat navigation when trying to get close to the dolphins. We propose a zero-tolerance rule, to be able to quickly enforce rule-breaches.</p>	<p>Everyone who swims, dives or enters the water in Te Pēwhairangi (Bay of Islands).</p> <p>Beachgoers, divers, paddleboarders, jetski operators, ocean swimmers and kayak operators will all need to be aware of the requirement to keep 400 m from marine mammals in undertaking these activities in the water, in accordance with this requirement.</p>

<p>2. Maintain a 400m distance from any marine mammal present within the boundaries of the marine mammal sanctuary.</p>	<p>We all want to enjoy watching marine life; however, the high number of interactions between marine mammals and boats is affecting their ability to rest and feed for the majority of their day.</p> <p>The Marine Mammals Protection Regulations 1992 have approach distance regulations for some marine mammals; however, there are currently no regulated minimum approach distances for dolphins.</p> <p>Approach distances have been shown to be successful elsewhere, for example in the United States of America, Australia and for whales throughout New Zealand.</p> <p>The marine mammal sanctuary includes a proposed 400 m approach distance within Te Pēwhairangi (Bay of Islands) boundary. This is designed to give marine mammals the choice of whether or not to interact with vessels.</p> <p>When people on vessels see marine mammals and want to view them, they must approach to no closer than 400 m, and take all reasonable measures to stop if they find themselves within 400 m. This provides the marine mammals with an option to approach the vessel if they wish, or to continue on their course.</p>	<p>All maritime vessels and vessel users in the Te Pēwhairangi (Bay of Islands), unless an exemption applies.</p>
<p>3. Speed for all vessels is to be restricted to 5 knots at all times in the two ‘marine mammal safe zones’.</p>	<p>Vessel noise and interactions are preventing survival-critical behaviour for marine mammals.</p> <p>Te Pēwhairangi (Bay of Islands) is a unique geographical location as it provides a nursery habitat for the dolphins. The dolphins frequently spend time within the boundary of Tapeka Point and Whangaiwahine Point, and between Motuarohia Island (Robertson Island) and Moturua Island. Research indicates this is where the highest level of interactions with dolphins occurs and this is why these areas have been chosen for ‘marine mammal safe zones’.</p> <p>Speed for all recreational vessels within these zones would be restricted to 5 knots. Speed above this generally creates wake, which attracts dolphins and encourages negative social behavior (wake riding), stopping them from resting or feeding and splitting the group.</p>	<p>All maritime vessels and vessel users in Te Pēwhairangi (Bay of Islands), unless an exemption applies.</p>

Costs and benefits of the proposed sanctuary Ngā utu me ngā hua o te tūrāhui

Option 1

Maintaining the status quo, no marine mammal sanctuary is established

Maintaining the status quo would mean:

Marine mammal conservation, protection, and management costs

- ▶ Bottlenose dolphins may become locally extinct as early as 2022.
- ▶ Taonga and kaitiaki species may be lost.
- ▶ Local extinction of bottlenose dolphins in Te Pēwhairangi (Bay of Islands) would directly affect the broader northeastern North Island bottlenose dolphin population which has strong links with Te Pēwhairangi (Bay of Islands), particularly for nursery groups.
- ▶ Impacts on other marine mammals and ecosystems in Te Pēwhairangi (Bay of Islands) may increase as current dolphin-viewing activities shift to other species.

Social and cultural costs

- ▶ Wellbeing and public enjoyment that a sanctuary would provide would not be realised.

Social and cultural benefits

- ▶ No impact on public enjoyment of the coastal marine area in the Te Pēwhairangi (Bay of Islands) in relation to swimming and interacting with marine mammals and movement through marine mammal safe zones.
- ▶ No impact on maritime vessel transit speed in the marine mammal safe zones.

Option 2

Establishing the proposed marine mammal sanctuary

Establishing the marine mammal sanctuary would mean:

Marine mammal, conservation, protection and management benefits


- ▶ Reduced impacts of human activities on bottlenose dolphins in Te Pēwhairangi (Bay of Islands) will contribute to halting the decline of the population. This effect would extend to the broader northeastern North Island population by enabling them to again use Te Pēwhairangi (Bay of Islands) as a nursery area.
- ▶ The proposed marine mammal sanctuary restrictions and broader ecosystem benefits in Te Pēwhairangi (Bay of Islands) would also benefit other marine mammals.
- ▶ Clear and unambiguous rules would be easy to interpret and ease compliance monitoring.

Social and cultural benefits

- ▶ Halting the decline of bottlenose dolphins and facilitating Te Pēwhairangi (Bay of Islands) to return to being a nursery for bottlenose dolphins will result in a sustainable visitor experience.
- ▶ Securing the bottlenose dolphin population will provide social benefits by improving Te Pēwhairangi (Bay of Islands) community wellbeing.

Social, cultural and economic costs

- ▶ Some impacts on public enjoyment of the coastal marine area in Te Pēwhairangi (Bay of Islands) in relation to swimming with and being close to marine mammals and for moving through marine mammal safe zones.
- ▶ Some impact on maritime vessel movement/speed in the sanctuary area.

A group of bottlenose dolphins is captured in mid-leap from the water. The dolphins are dark grey with lighter patches on their sides. The water is a vibrant blue-green, and the background shows a clear sky. The dolphins are moving from the bottom left towards the top right of the frame.

3. Submissions (and next steps) Ngā tuku kōrero

Have your say

We've also drafted an impact analysis that describes the impacts that the proposed marine mammal sanctuary and its restrictions might have on you. It's available on our website (www.doc.govt.nz/boimms).

If we have missed out any groups or impacts, please let us know at boimms@doc.govt.nz.

We want your feedback

On 20 April 2021, a notice was placed in the New Zealand Gazette for a proposed marine mammal sanctuary in Te Pēwhairangi (Bay of Islands).

There is a 28-day period to make a submission on the proposal.

The consultation closes on 18 May 2021.

If you are whānau, hapū or iwi who exercise kaitiakitanga in the area, you should say so in your submission so that the Minister can give particular regard to your views.

To make a submission, please use the online portal:

www.doc.govt.nz/boimms

If you are unable to make an electronic submission, you may make a written submission which includes the following information:

- ▶ The title of this document.
- ▶ Your name and title.
- ▶ Your organisation's name (if you are submitting on behalf of an organisation).
- ▶ Your contact details.

A written submission form is included at the end in this document for you to use, should you wish.

Written submissions should be mailed to or handed in by person to:

Proposed Te Pēwhairangi (Bay of Islands) marine mammal sanctuary
Department of Conservation
34 Landing Road
Kerikeri 0230

Questions to consider in providing feedback on the proposal:

You can provide any feedback on the proposed marine mammal sanctuary that you would like. However, answering the following questions may assist you in making your submission:

1. Do you support or oppose the proposed marine mammal sanctuary? If so, why, or why not?
2. Do you believe the proposal should be changed or amended? If so, what changes would you propose, and why?
3. Do you agree with how we have characterised the problem, objectives and impacts? If not, how would you change it?

Have your say

Official Information Act

Please note that any submission you make will become public information and that anyone can ask for copies of all submissions under the Official Information Act 1982.

The Official Information Act states that we must make information available unless there is a good reason for withholding it, and provides a list of such reasons in sections 6, 9 and 18. If you think there is a good reason to withhold specific information, please state this in your submission. A good reason may include commercial confidentiality or that it is personal information.

Note that any decision that is made by The Department of Conservation Te Papa Atawhai to withhold information can be reviewed by the Ombudsman, who may require the information to be released.

Next steps

Aha atu

After submissions close:

1. The Minister of Conservation will consider all submissions. The Minister will also give particular regard to the views of whānau, hapū and iwi who exercise kaitiakitanga in the proposed sanctuary.
2. The Minister of Conservation will make a decision on the proposal in accordance with relevant statutory considerations which include the purpose of the Marine Mammals Protection Act 1978. Any decision to agree to a marine mammal sanctuary would also need the consent of the Minister of Energy and Resources, Minister of Transport and Minister of Fisheries.
3. If the Minister of Conservation decides to proceed with the proposed sanctuary, it will be notified in the New Zealand Gazette.

What happens if a marine mammal sanctuary is established?

Under the legislation, marine mammal sanctuaries are administered by the Department of Conservation Te Papa Atawhai, whose management responsibilities include marking the boundaries (where necessary), informing the public of permitted and prohibited activities, undertaking biological monitoring, issuing scientific and special authority permits, and overseeing the enforcement provisions of the Marine Mammals Protection Act 1978 in relation to offences.

It is proposed that if a sanctuary is put in place, yearly monitoring would be undertaken, and a review of its effectiveness would be undertaken after 3 years.

Co-management

Ngā Hapū o te Pēwhairangi and Department of Conservation Te Papa Atawhai have co-designed the marine mammal sanctuary (MMS) proposal through a joint hapū–Department of Conservation Te Papa Atawhai project team. Both parties would manage the MMS through a co-management model (that aligns with legislation), should a MMS be established.

To date, discussions with the hapū–Department of Conservation Te Papa Atawhai kaitiaki roopu have suggested that:

- ▶ a hapū–Department of Conservation Te Papa Atawhai kaitiaki roopu could be formalised through a statutory advisory committee for the MMS;
- ▶ it may also be appropriate to include other industry or community representatives on such an advisory committee; and
- ▶ hapū kaitiaki rangers with appropriate powers to undertake day-to-day management, monitoring and compliance work should form part of future co-management arrangements.

Further work is underway between Treaty Partners to define the scope and key elements of potential co-management arrangements.

For more information

Please refer to the document ‘**Supporting Information on Te Pēwhairangi (Bay of Islands) marine mammal sanctuary proposal**’ for further information at www.doc.govt.nz/boimms.



Te Pēwhairangi (Bay of Islands) marine mammal sanctuary proposal submission form

Your details

Your name:

Organisation (if applicable):

Street address:

Suburb:

City:

Region:

Email address:

Phone number:

Are you whānau, hapū or iwi that exercises kaitiakitanga in the proposed sanctuary area?

Yes

No

If you answered yes, please provide details (eg, *which hapū and/or iwi do you affiliate to*):

Which group(s) best describes your interest:

Northland / Te Pēwhairangi Bay of Islands community member

Whānau, hapū or iwi that exercises kaitiakitanga in the proposed sanctuary area

Recreational maritime vessel operator

Commercial maritime vessel operator

Local business owner

Local community group

Member of the New Zealand general public

Science and research

Environmental groups

Other (please specify):

Official Information Act 1982

Please note that any submission you make will become public information and that anyone can ask for copies of all submissions under the Official Information Act 1982.

The Official Information Act states that we must make information available unless there is a good reason for withholding it and provides a list of such reasons in sections 6, 9 and 18. If you think there is a good reason to withhold specific information, please state this in your submission. A good reason may include commercial confidentiality or that it is personal information. Note that any decision that is made by DOC to withhold information can be reviewed by the Ombudsman, who may require the information to be released.

I would like specific information in my submission withheld.

Please state the reasons for wanting specific information in this submission withheld.

