



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; and
- has the potential to disturb, harass or harm any marine mammal; or
- would contravene any regulation 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@doc.govt.nz](mailto:permissions@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 Regulations 1992 and/or the Marine Mammals Protection Act 1978.

Note: If you intend to film marine mammals as part of a commercial operation for viewing marine mammals (for which you already have a permit) you do not need to apply for a filming permit in addition.

Note: if you intend to take paying passengers with you whilst filming marine mammals you must also complete the applicable forms below:

- If your application also involves marine mammal viewing which is vessel-based please also fill in Form 8a.
- 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.

## A. Applicant name (as per Form 8)

BBC Natural History and Factual Productions Ltd

## B. Proposed Filming Operation (please read Appendix 1)

Please tick the relevant boxes to help determine how the application will be assessed:

<input checked="" type="checkbox"/>	Vessel to approach closer than 50 metres to a whale
<input checked="" type="checkbox"/>	Person in the water to approach closer than 100 metres to a whale
<input type="checkbox"/>	Vessel or person to approach closer than 200 metres to any female baleen or sperm whale that is accompanied by a calf or calves
<input checked="" type="checkbox"/>	Person in the water with juvenile dolphins
<input type="checkbox"/>	Approach (on foot, in the water, or in a vessel) closer than 20 metres to seals or sea lions on shore
<input type="checkbox"/>	Use an aircraft at an altitude below 150 metres (500 feet) above sea level, unless taking off or landing
<input type="checkbox"/>	Use an aircraft closer than 150 metres (500 feet) to a marine mammal horizontally from a point directly above a marine mammal
<input checked="" type="checkbox"/>	Use a drone or RPA* to film marine mammals
<input checked="" type="checkbox"/>	Charter a vessel or aircraft, and/or hire a skipper or pilot to take the film crew to view or come into contact with any marine mammal.

\*Note: RPA means a Remotely Piloted Aircraft as defined under Civil Aviation legislation.

## 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.

Using underwater, topside and aerial videography techniques to film the behaviour of pilot whales as part of a sequence in the 'High Seas' episode of the major blue chip landmark series *Blue Planet III* for BBC Natural History and Factual Productions Ltd.

## Proposed term

When do you wish to begin and finish all filming?

1<sup>st</sup> January – 30<sup>th</sup> April 2024 and 1<sup>st</sup> January – 30<sup>th</sup> April 2025; These date ranges are the periods recommended by Jochen Zaeschmar as being good times of the year for filming pilot whales. Each year would consist of one shoot of roughly 45 filming days (90 filming days total across two shoots). The exact dates of the shoots will be confirmed closer to the filming periods as we continue to plan the expeditions with our film crew and Jochen Zaeschmar.

## Location information

### Base of operation:

We will be based on a liveboard vessel for the duration of the shoot. The exact location of where we board the liveboard vessel will be determined closer to the beginning of the shoot and be subject to environmental conditions and suspected location of pilot whales at the time. Likely areas of boarding the liveboard vessel are Tutukaka or Marsden Bay near Whangarei.

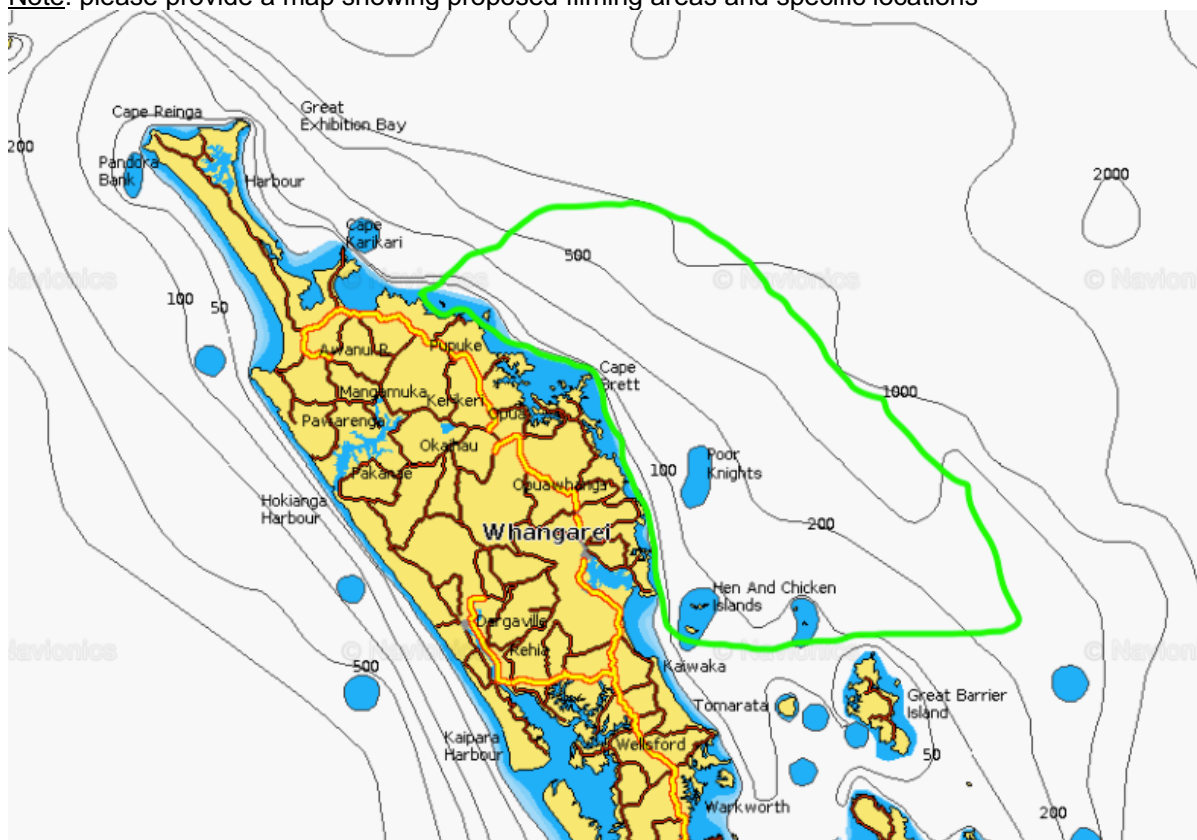
### Proposed area or areas of operation:

From Taranga (Hen) Island/Mokohinau Islands to Whangaroa Bay/Mahinepua Island. Jochen Zaeschmar has identified several hotspots in deep offshore waters off the Poor Knights Islands and off Bay of Islands. It is important to note that we will not be filming in Bay of Islands Marine Mammal Sanctuary.

### Specific locations where contact with marine mammals is proposed:

Specific locations where we will encounter marine mammals are difficult to define as the pilot whales we aim to film are constantly on the move, sometimes travelling long distances each day. The animals' preferred locations also depends on long term weather patterns such as El Niño/La Niña events and has potential to change slightly from year to year. Based on research conducted by Jochen Zaeschmar and the experiences of past film shoots, potential areas we may encounter pilot whales from January to April comprise the areas noted above. Within this large area Jochen's research has revealed several pilot whale hotspots in deep offshore waters off the Poor Knights Islands and Bay of Islands (not in Bay of Islands Marine Mammal Sanctuary). However, as the pilot whales rarely spend too long in any one area, our permit will need to cover the entire area where they may be encountered from January to April.

Note: please provide a map showing proposed filming areas and specific locations



## Species

### Marine mammals you propose to encounter and film:

✓ all species of whales

all species of dolphins (excluding coastal bottlenose dolphins)

all species of seals

Please specify the species you intend to target at each location

We intend to target pilot whales (*Globicephala melas* or *Globicephala macrorhynchus*) in the above stated locations. We may also incidentally target false killer whales (*Pseudorca crassidens*), oceanic bottlenose dolphins (*Tursiops truncatus*) and other marine mammal species such as orca (*Orcinus orca*) as these cetaceans are sometimes found associated with pilot whales in New Zealand. While our goal for this project is to film pilot whales, this footage is for a series that will feature a variety of marine animals from around the world. As such, if we encounter other marine mammal species exhibiting interesting behaviour in the above stated locations, we may film these other marine mammals opportunistically. We will never target or film coastal bottlenose dolphins.

## 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.

### Please list all species separately

When do you propose to undertake filming at each location?

(please be as specific as possible, including dates and times during the day)

1<sup>st</sup> January 2024 – 30<sup>th</sup> April 2024 and 1<sup>st</sup> January 2025 – 30<sup>th</sup> April 2025. Each year would consist of one shoot of roughly 45 filming days (90 filming days total across two shoots). The exact dates of the shoots will be confirmed closer to the filming periods as we continue to plan the expeditions with our film crew and Jochen Zaeschmar. We plan to film every day during our shoot, from sunrise to sunset if weather permits.

Maximum number of filming days at each location:

90 days

Duration of each daily trip:

12 hours. We will be based on a liveaboard vessel and will film from this vessel and/or smaller accompanying vessel(s) for around 12 hours each day (i.e. sunrise to sunset).

Maximum cumulative time with marine mammals during a day:

12 hours: This time period is the ideal amount of time we hope to follow and observe marine mammals during the day (i.e. from sunrise to sunset). However during this period, only a small proportion of time would be spent in close proximity to marine mammals. For example, pilot whales may spend many hours each day behaving in ways that are uncondusive to filming, such as when they are in travel mode. During these times we would move away from the pilot whales, following them from a distance of 300 meters or more and observing for any indication of the target behaviours we hope to film. The behaviours we want to film are very specific and infrequent, so we plan to only approach the pilot whales in close proximity when these behaviours occur. This means that each encounter/daily close-proximity time will never come remotely close to 12 hours. The maximum amount of daily close proximity time for each filming method, i.e. boat based topside filming, drone filming, and in-water filming would be 6 hours. All filming methods can be used simultaneously. However, we would not target one group of whales with all filming methods at once. The crew will continuously monitor the pilot whales for any sign of disturbance during all filming activities and employ appropriate mitigation strategies to reduce disturbance to marine mammals as outlined below.

**How will you approach, film and depart from marine mammals using a vessel?  
Please list all species separately**

Speeds when approaching and viewing marine mammals

Vessels will approach pilot whales at no wake speed when within 300 meters of the animals. However, an exception to this may occur when the pod is moving at great speeds, where vessel speeds of up to 10 knots may be used to gradually catch up with the moving pod.

Behaviour of vessel and orientation of approach relative to marine mammals

Vessels will always approach pilot whales from the side and behind the pod moving slowly and carefully towards the desired filming position. Vessels will never be manoeuvred in a way that cuts in front of or across the path of the pilot whales. The vessels will be skippered by individuals who are highly experienced at piloting vessels in the presence of marine mammals, including piloting vessels around pilot whales for filming and research purposes. The skipper will manoeuvre the vessel in a careful manner, avoiding erratic changes in speed and direction that may cause disturbance to pilot whales. The skipper and crew will continuously monitor all nearby pilot whales for any behaviours that indicate disturbance. Should any disturbance behaviours be observed we will move away from the pilot whales and only approach them again if normal behaviour resumes, as outlined below in the "other actions to minimise disturbance" section. We will not actively target calves and juvenile pilot whales, however, because of the large group size and structure of pilot whale pods it is inevitable that calves and juveniles may come near our vessel. Extra care will be taken when the vessel is in the presence of calf and juvenile pilot whales. Throughout the filming day we will not be required to always be within 50 meters distance to pilot whales. For instance, throughout the day the pilot whales are likely to exhibit behavioural states that are not conducive for filming purposes, such as when the animals are actively travelling. During such behavioural periods we may move away from the pilot whales to a distance of 300 meters away or greater so that we can track the animals without causing disturbance and maintain visual contact in order to identify when behavioural states occur that we aim to film.

Position of vessels relative to marine mammals while viewing

Vessels will be positioned to the side of, or slightly in front and to the side of the pilot whales. Vessels will never be positioned directly in front of the animals. The vessels will be skippered by individuals who are highly experienced at piloting vessels in the presence of marine mammals, including piloting vessels around pilot whales in New Zealand waters for filming and research purposes. The skipper and crew will continuously monitor all nearby pilot whales for any behaviours that indicate disturbance. Should any disturbance behaviours be observed we will move away from the pilot whales and only approach them again if normal behaviour resumes, as outlined below in the "other actions to minimise disturbance" section.

Distance from vessel to marine mammals

Within 50 meters. The closest distance a vessel would ever approach a pilot whale is 5 meters. It is important to note that pilot whales are highly inquisitive and may approach our filming vessels closer than 5 meters. In such instances we will let the animals dictate this interaction and move away from the pilot whales to re-establish the approved minimum approach distance as soon as it is safe to do so.

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

N/A

#### Behaviour around calves or pups

We will not actively target calf and juvenile pilot whales, however, because of the large group size and structure of pilot whale pods it is inevitable that calves and juveniles may come near our vessel or crew. Extra care will be taken when moving vessels around and filming pilot whale calves. Vessels will move slowly and carefully in the presence of calves. Vessels will never be positioned in a way that separates a mother and calf or blocks a calf's path back to its mother. The vessels will be skippered by individuals who are highly experienced at piloting vessels in the presence of marine mammals, including piloting vessels around pilot whale calves/juveniles in New Zealand waters for filming and research purposes. The skipper and crew will continuously monitor all nearby pilot whales for any behaviours that indicate disturbance. Should any disturbance behaviours be observed we will move away from the pilot whales and only approach them again if normal behaviour resumes, as outlined below in the "other actions to minimise disturbance" section.

#### Speed of departure

No wake speed until 300 meters away from the pilot whales.

#### Behaviour of vessel and departure route relative to marine mammals

Vessels will slowly move away from the pilot whales at a 45-degree angle from the direction of their movement, so as to gradually move away from the animals. Vessels will never move at right angles to a travelling pod or head in the opposite direction to the movement of the pod.

#### What other actions you will take to minimise disturbance?

We are working with the most experienced skippers, camera operators and scientists in the world with specific expertise in working around marine mammals for filming purposes. Our camera operators are highly experienced and well versed in methods of safely filming sensitive marine mammals with underwater cameras, topside cameras, pole-cameras, tow cameras, and drones. All potential camera operators listed below have extensive experience filming marine mammals from vessels and in the ocean in adverse sea-state conditions. A couple of the potential camera operators we may use have safely filmed marine mammals in New Zealand underwater and above water in the past. The skippers we will use have years of experience piloting vessels around marine mammals in New Zealand, including piloting vessels around pilot whales for filming and research purposes. We are working with Jochen Zaeschmar, an expert in New Zealand cetacean biology with extensive experience observing and studying pilot whales. Jochen is the founder of Far Out Ocean Research Collective, which endeavours to foster knowledge and conservation of New Zealand's marine environment through research and outreach. Jochen is well versed in best practices for safely boating around and filming pilot whales. He is skilled at identifying behaviours that indicate disturbance and we will follow his advice and guidance during all filming activities. During any vessel approach the skipper and all crew will monitor all nearby pilot whales for signs of disturbance. Should any signs of disturbance be observed the vessel will move away slowly until normal behaviour resumes. Once normal behaviour resumes, the vessel may approach a second time, however, if signs of disturbance are again observed the vessel will again move away until normal behaviour resumes. Once normal behaviour resumes the vessel may make a 3rd approach attempt, however, if signs of disturbance are again observed the vessel will move away and search for new pilot whales to film. The maximum number of

attempted approaches we make on any individual pilot whale per day will be 3, in the manner outlined above.

**How will you undertake underwater filming?  
Please list all species separately**

Method (pole-cam, diver etc.)

**Diver (SCUBA, CCR, and/or Free-diving):**

Two divers (one camera operator and one safety diver) will use SCUBA, CCR, or free-diving techniques to film pilot whales underwater. The camera operator will use a RED video camera (or similar) in an underwater housing. GoPros or small DSLR style underwater cameras may be used to capture behind-the-scenes photos and videos. The safety diver will be positioned behind the camera operator to remain out of shot, but close enough to aid the camera operator in the event of an emergency. The safety diver's main priority is to look out for the safety of the camera operator, however, the safety diver may also use a GoPro or DSLR style underwater camera to film behind-the-scenes footage of the camera operator if conditions allow for this to be done safely. The dive plan and role of each diver will be thoroughly discussed with the team prior to each dive. On occasion, divers may use underwater scooters to travel with the pilot whales and film specific shots for the sequence.

**Pole-cam:**

A pole-cam mounted to the side of the vessel or handled by the camera operator on the deck of the vessel will be used to film pilot whales underwater. Two different types of pole-cam may be used for filming. The first type is a GoPro camera attached to a metal pole and handled by the camera operator on the deck of the vessel or attached to the side of the vessel. The second type of pole-cam is a specialised, custom-built stabilised pole-cam. There are two potential models of this type of pole-cam that we may use. These systems consist of gimbal stabilised cameras mounted inside an underwater housing. The housing is attached to an adjustable pole that is secured to the side of the vessel or is handled by a crew member on the deck of the vessel. Cables running from the camera housing to the deck of the vessel allow for remote operation of the camera and viewing of the footage being captured. The gimbal system inside the underwater housing allows the camera to move on three axes within the housing, greatly reducing the shaky effect often associated with pole-cam footage. These new systems will allow us to capture perfectly steady shots of pilot whales in rough choppy seas, greatly increasing our ability to document fleeting, often unseen behaviours just beneath the surface.

**Tow-cam:**

A tow-cam mounted to the side of the vessel will be used to film pilot whales underwater. The tow-cam would consist of a small RED camera or similar style camera in a streamlined housing with a cable extending from the back of the housing to the deck of the vessel that would provide camera control and a live video feed for the operator controlling the unit.

**Hydrophone:**

We aim to record the natural sounds of pilot whales using a hydrophone. Recording with a hydrophone will be conducted under the guidance of Jochen Zaeschmar. Jochen has extensive experience safely listening to and recording sounds of cetaceans in New Zealand with hydrophones. A hydrophone will only be deployed if environmental conditions allow for this to be done safely.

Approaching marine mammals (vessel and/or land)

**Diver (SCUBA, CCR, and/or Free-diving):**

We are working with highly skilled divers with years of experience working around and filming sensitive marine mammals underwater. These individuals are extremely well versed in best practices for safely filming marine mammals underwater in a way that causes little to no disturbance. Divers will always deploy from a vessel during this shoot. All vessel approaches for diver-related filming will follow the same approach methods and protocols outlined above. Divers will be deployed alongside the pilot whales or slightly in front of and to the side of pilot whales. Divers will never be deployed directly in front of the pilot whales, so as not to cut off the path of the animals. Divers will approach the pilot whales underwater or at the surface, moving slowly and carefully towards the animals. Divers will move in a calm and thoughtful manner, avoiding erratic behaviour and fast movement that may cause disturbance. Divers will never position themselves in a way that blocks a pilot whale's path back to the surface. Special care will be taken when divers are in the presence of pilot whale calves and juveniles. While divers will not actively target pilot whale calves/juveniles, the nature of the pilot whale group size and structure means that calves/juveniles may approach the divers. When in close proximity to pilot whale calves/juveniles divers will move slowly and carefully and never position themselves in a way that separates a mother and calf or blocks a calf's path back to its mother. The divers will continuously monitor all nearby pilot whales for signs of disturbance. Should any signs of disturbance be observed the divers will move away and only approach the same pilot whales again when normal behaviour resumes. The maximum number of attempted approaches that the divers will make per day on any individual pilot whale is 3. If signs of disturbance are observed during or after a 3<sup>rd</sup> attempted approach on a given individual, the divers will move away and seek out new pilot whales to film. On occasion divers may use underwater scooters to travel with the pilot whales and film specific shots for the sequence. Approaches made with underwater scooters will follow the protocols outlined above, however, if any signs of disturbance are observed when filming with underwater scooters, the divers will cease filming with underwater scooters. They will only approach the same animals again to film without scooters, and only when normal behaviour resumes, following the "3 approach attempts" rule outlined above. The camera operators we are planning to use all have experience using underwater scooters for the purposes of filming sensitive cetacean species, and both Natasha and Kyle have previously directed shoots that have utilised scooters to capture the natural behaviour of cetaceans, including pilot whales.

#### **Pole-cam:**

We are working with highly skilled camera operators with previous experience operating pole-cams from vessels to film sensitive marine mammals. Pole-cam filming will always be conducted from a vessel. The vessel approaches for pole-cam filming will follow the same approach methods and protocols outlined above. Filming with the pole-cam will be performed while the vessel is alongside the pilot whales or slightly in front of and to the side of pilot whales, with the vessel moving in the same direction as the pod. The skipper has previous experience operating vessels around marine mammals for the purpose of pole-cam filming. Special care will be taken when conducting pole-cam filming in the presence of pilot whale calves and juveniles. While the crew will not actively target calves/juveniles, the nature of the pilot whale group size and structure means that calves/juveniles may approach the vessel. When in close proximity to pilot whale calves/juveniles the vessel will move very carefully and never be positioned in a way that separates a mother and calf or blocks a calf's path back to its mother. The skipper and crew will continuously monitor all nearby pilot whales for signs of disturbance during pole-cam filming. Should any signs of disturbance be observed the vessel will move away and only approach the same pilot whales again when normal behaviour resumes. The maximum number of attempted approaches that the vessel will make per day on any individual pilot whale is 3. If signs of disturbance are observed during or after a 3<sup>rd</sup> attempted approach on a given individual, the vessel will move away and seek out new pilot whales to film with the pole-cam.



**Tow-cam:**

We are working with highly skilled camera operators with previous experience operating tow-cams from vessels to film sensitive marine mammals. Tow-cam filming will always be conducted from a vessel. The vessel approaches for tow-cam filming will follow the same approach methods and protocols outlined above. Filming with the tow-cam will be performed while the vessel is alongside pilot whales or slightly in front of and to the side of pilot whales, with the vessel moving in the same direction as the pod. The skipper has previous experience operating vessels around marine mammals for the purpose of tow-cam filming. Special care will be taken when conducting tow-cam filming in the presence of pilot whale calves and juveniles. While the crew will not actively target calves/juveniles, the nature of pilot whales group size and structure means that calves/juveniles may approach the vessel. When in close proximity to pilot whales calves/juveniles the vessel will move carefully and never be positioned in a way that separates a mother and calf or blocks a calf's path back to its mother. The skipper and crew will continuously monitor all nearby pilot whales for signs of disturbance during tow-cam filming. Should any signs of disturbance be observed the vessel will move away and only approach the same pilot whales again when normal behaviour resumes. The maximum number of attempted approaches that the vessel will make per day on any individual pilot whale is 3. If signs of disturbance are observed during or after a 3<sup>rd</sup> attempted approach on a given individual, the vessel will move away and seek out new pilot whales to film with the tow-cam.

**Distances and filming position relative to each species**

Within 100 meters.

Our divers and skippers are all highly experienced at filming and working around sensitive marine mammals. All nearby pilot whales will be continuously monitored during all filming activities for any signs of disturbance. If signs of disturbance are observed the divers or vessels will move away from the animals and only approach again using the methods and protocols outlined above. Our number one priority is capturing the undisturbed natural behaviour of the marine mammals we film. As such, we prefer to allow the animals to approach us. The best footage and interactions that cause the least disturbance are always achieved when the animals dictate the interaction and we will always work with the animals in this way.

**How will you approach, film and depart from marine mammals using a drone?  
Please list all species separately****Filming over water**

We plan to film the behaviour of pilot whales, and any other opportunistically encountered marine mammals, with a drone. Only one drone will be operated at any given time. All drone filming will be done over water, with the possible exception of some scenic aerial shots, which may require flying over water and land. Our drone operator is highly experienced at piloting drones over water, with many hours spent piloting drones over water to film marine mammals. Our drone operator is well versed in the best practices for safely flying drones around sensitive marine mammals in a way that minimises disturbance to the animals. The crew will continuously monitor all nearby pilot whales for signs of disturbance. Should any signs of disturbance be observed the drone will move away and only approach the same pilot whales again when normal behaviour resumes. The maximum number of attempted approaches that the drone will make per day on any individual pilot whale is 3. If signs of disturbance are observed during or after a 3<sup>rd</sup> attempted approach on a given individual, the drone will move away and the crew will seek out new pilot whales to film. The drone will only be deployed over water when environmental conditions such as wind, precipitation, and swell allow for the drone to be operated safely.

## Filming seals or sea lions on land

We will not be filming seals or sea lions on land with a drone.

## Approach speed

All approaches will be made slowly and carefully with the drone flying at a height greater than the requested minimum height of 10 meters, but no higher than the legal maximum height of 120 meters. When the drone has reached the desired filming location the drone will slowly and carefully descend to the desired filming height, not exceeding the requested minimum height of 10 meters. The drone operator will avoid flying the drone in an erratic manner, ensuring that changes in movement speed or direction are gradual.

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

Minimum height of 10 meters

## Height above sea level while filming marine mammals

Minimum height of 10 meters. We understand the concerns that low-flying drones may cause behaviour changes and disturbance to marine mammals. However, past research into marine mammal drone disturbance has primarily focused on the effects of low-flying drones on coastal cetacean species, animal groups that already experience high levels of disturbance from other additional sources, such as recreational boaters. Whereas pilot whales are a species which typically occur further from shore and are not subjected to the same level of disturbance as coastal species, and thus may not be as prone to disturbance from drones at low altitudes. Additionally, drone-disturbance studies conducted on cetaceans often require flying a drone at a set, unchanging distance from the subject for a long period of time in order to assess the effects that prolonged exposure to a drone has on marine mammals. However, when making natural history documentaries, we do not fly drones in this manner. While the minimum height requested is 10 meters, it is important to note that we would be spending a very minimal amount of time at this height for the duration of our filming activity. The nature of our work requires us to capture a variety of shot angles and shot sizes to create visually dynamic and interesting sequences, thus the drone does not need to remain at the requested minimum height for extended periods of time. Our primary goal is capturing the undisturbed natural behaviour of the animals we film. As such we are always assessing the behavioural responses of animals during all filming activities. If we observe signs of disturbance, the drone will always be moved away and only approach again once normal behaviour resumes, as outlined throughout this document. We will never continue filming a pilot whale at any height if that activity causes continued disturbance to the animal being filmed.

## Orientation of approach

The drone will approach from behind and to the side of the pilot whales. The drone will approach slowly and from a height greater than the requested minimum height of 10 m and descend slowly once it has reached the desired filming location. The drone will never move in an erratic manner that might cause disturbance. The operator will pilot the drone using gradual and careful adjustments to speed and direction.

## What other actions you will take to minimise disturbance

We will be working with the most experienced crew and skippers in the world. The drone operator is highly experienced at operating the proposed RPA devices from vessels over the ocean for the purposes of filming the natural history behaviour of marine mammals. The drone operator has the relevant and necessary commercial drone operator license from their home country (i.e. FAA in USA,

CAA in UK, CAA in Australia, etc.). The skippers are highly experienced at safely piloting vessels around marine mammals for drone filming purposes. The crew are well versed in identifying pilot whale behaviours that indicate disturbance and will continuously monitor all nearby pilot whales for any signs of disturbance. Should any signs of disturbance be observed the drone will move away and only approach the same pilot whales again when normal behaviour resumes. The maximum number of attempted approaches that the drone will make per day on any individual pilot whale is 3. If signs of disturbance are observed during or after a 3<sup>rd</sup> attempted approach on a given individual, the drone will move away, and the crew will seek out new pilot whales to film. The drone will only be deployed when environmental conditions allow the drone to be flown safely. The drone will be deployed with sufficient battery to allow for the planned filming and safe return of the drone to the vessel. The drone will only be deployed if pilot whales show no signs of disturbance from the presence of the film crew. The drone operator will avoid flying the drone in an erratic manner. During all filming activities the drone will move in a slow and thoughtful manner, avoiding erratic and sudden movements and changes in direction that could cause disturbance. The drone will never chase pilot whales or exceed the predetermined minimum height. A designated area on the vessel(s) will remain clear from other equipment during all drone filming to ensure the safe and effective deployment and retrieval of the drone. A member of the crew will act as a dedicated drone spotter during all drone filming to ensure the drone operator is aware of the drone's position and any potential hazards that the drone may encounter. While the minimum height requested is 10 meters, it is important to note that we would be spending a very minimal amount of time at this height for the duration of our filming activity. The nature of our work requires us to capture a variety of shot angles and shot sizes to create visually dynamic and interesting sequences, thus the drone does not need to remain at the requested minimum height for extended periods of time.

## Film Crew

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)

**\*NOTE: We only plan on using two camera operators for this shoot. We are still in the process of finalising which camera operators we will be able to use. Due to a very high demand for camera operators at this time, it is difficult to secure camera operators this far in advance. Below are a list of potential camera operators we have contacted and are in discussion with regarding their involvement with this shoot.**

Full Name: Kyle Marshall Swann	Job Title: Assistant Producer, Director
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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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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If yes please provide details: N/A

Relevant experience with marine mammals:  
 Kyle has assisted and directed crews on filming expeditions around the world to document the natural history behaviour of marine mammals. In the Kermadec Islands Kyle worked with camera operators to film mother humpback whales and their calves on their southerly migration. Further south in the subantarctic Auckland Islands, Kyle helped a camera crew capture the breeding and social behaviour of New Zealand sea lions. Kyle directed a shoot in Florida, USA to film the hunting behaviour of bottlenose dolphins. In Australia, Kyle directed a shoot to film orca hunting humpback whales. Recently he directed a shoot in New Zealand filming false killer whales and oceanic bottlenose dolphins.

Relevant knowledge of the local area and sea conditions:  
 Kyle lived in New Zealand for seven years and worked in the NZ natural history television industry for 5 years. He has extensive experience safely working from vessels and diving for filming purposes in New Zealand waters, having joined filming expeditions to the Kermadec Islands, Auckland Islands, White Island, Banks Peninsula, Fiordland and throughout the outer Hauraki Gulf.

Full Name: Natasha Fellows

Job Title: Producer/Director

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: N/A

Relevant experience with marine mammals:

Natasha is a Producer/Director who specialises in documenting the natural behaviour of animals. Natasha has extensive experience directing shoots and acting as a safety diver to film marine mammals, from Spinner dolphins in Costa Rica to Humpback whales in Hawaii. Before working on Blue Planet III, Natasha directed the Shallow Seas and Open Ocean episodes of a series for Apple TV+ which documented the vocalisations of marine mammals across the world. She has over a decade of experience working on natural history programmes.

Relevant knowledge of the local area and sea conditions:

Natasha Fellows is extremely experienced in working at sea and filming from boats in the open ocean in adverse, rough sea conditions. She has been on many vessel-based filming expeditions around the world.

Full Name: Eleanor Shannon Potts  
(Henceforth referred to as Ella)

Job Title: Researcher

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: N/A

Relevant experience with marine mammals:

Ella has come to wildlife filmmaking from a career in marine mammal research and conservation in the Northeast Atlantic and latterly as a qualified Expedition Naturalist working globally from the Southern Ocean up to the High Arctic. Ella has worked for several of the most notable cetacean charities in the UK; a Wildlife Officer for ORCA - surveying cetacean abundance and assessing impacts of vessel presence on cetacean behaviour; many years working for the Hebridean Whale and Dolphin Trust (HWDT) – educating local communities in cetacean protection and contributing to the longest running cetacean survey in the UK. She has also worked as the Area Coordinator for Argyll for British Divers Marine Life Rescue (BDMLR) and is a trained marine mammal medic and is also adept in assessing and mediating stress response in cetaceans and pinnipeds. She has worked for many years on WISE accredited vessels – a UK accreditation which trains boat skippers and crews in how best to approach marine mammals without causing stress to the animal.

She has been a whale-specialist Expedition Naturalist working for Lindblad/National Geographic since 2018, where she piloted zodiacs with guests in the presence of marine mammals, following strict IAATO guidelines and with the utmost respect for animal welfare. She has worked professionally in these capacities, aboard vessels of varied sizes around whales and small cetaceans for 11 years, since 2011.

Working in wildlife filmmaking, Ella has assisted on shoots to film marine mammal behaviour sequences in the high arctic and the Falkland Islands.

Relevant knowledge of the local area and sea conditions:

Ella has lived for 7 years in the Scottish Hebrides and has worked in the rough seas of the Southern Ocean, High Arctic and NE Atlantic, areas with sea conditions of similar or greater strength to our intended shooting location. She has high water confidence and is well and consistently trained in various safety at sea courses; she is an RYA day skipper and powerboat skipper. She is highly capable in interpreting weather and environmental conditions and relevant sea charts to assess safety at sea.

Full Name: Harry Gunning Job Title: Researcher

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: N/A

Relevant experience with marine mammals:  
Harry is a wildlife documentary researcher who specialises in documenting the natural behaviour of marine animals. He has worked on a range of different vessels and in multiple countries for filming marine mammals, from documenting fin whales in Antarctica to seals in Scotland. Harry has most recently directed a shoot for Blue Planet III in the Antarctic to film marine mammals from a range of different vessels, offshore, and in rough conditions.

Relevant knowledge of the local area and sea conditions:  
Harry is experienced in working at sea and filming from boats in the open ocean. Harry has previously lived and studied in New Zealand, where he acted as a research assistant for projects involving NIWA and the University of Auckland, which included conducting dive and boat operations around the Goat Island marine reserve.

Full Name: Alex Vail Job Title: Camera Operator

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: N/A

Relevant experience with marine mammals:  
Alex Vail is a BAFTA award winning natural history camera operator, specialising in capturing complex behaviour sequences of animals. He has extensive experience using underwater cameras, pole-cameras, topside cameras, tow cameras, and drones to film marine mammals, from southern right whales in the Auckland Islands to blue whales in Antarctica.

Relevant knowledge of the local area and sea conditions:  
Alex Vail has filmed false killer whales in New Zealand on a previous BBC film shoot. Alex joined other crew members and lived on a vessel for several weeks while searching for and filming false killer whales in an area very similar to where we plan to film.

Full Name: Hugh Miller Job Title: Camera Operator

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: N/A

Relevant experience with marine mammals:  
Hugh is one of the most experienced underwater and topside camera operators in the world. He has extensive experience filming cetaceans from the tropics to the poles and his work has featured on several wildlife documentaries including Blue Planet II and Frozen Planet II for the BBC.

Relevant knowledge of the local area and sea conditions:  
Hugh has been on many vessel-based filming expeditions around the world and has extensive experience filming in the open ocean in adverse sea state conditions.

Full Name: Tom Fitz Job Title: Camera Operator

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: N/A

Relevant experience with marine mammals:  
Tom Fitz is an Emmy and BAFTA award winning natural history camera operator who has worked on a multitude of landmark wildlife series such as Blue Planet II, Planet Earth II, and The Blue Planet. He has extensive experience filming marine mammals underwater and above the surface. He has joined filming expeditions all over the world from the poles to the tropics, documenting the undisturbed behaviour of a multitude of animals, including whales, dolphins, and manatees.

Relevant knowledge of the local area and sea conditions:  
Tom Fitz has previously filmed false killer whales for the series Blue Planet II. Tom spent two weeks working from a vessel in the outer Hauraki Gulf (an area similar to where we plan to film) to film whales and dolphins with underwater cameras.

Full Name: Jeandre Gerding Job Title: Camera Operator

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: N/A

Relevant experience with marine mammals:  
Jeandre Gerding is a natural history camera operator with over 10 years of experience. He has ventured to 6 continents filming a variety of animals using underwater cameras, drones, topside cameras, and specialised motion control camera systems. He has extensive experience filming marine mammals from vessels using topside cameras, underwater cameras, drones, and pole-cams.

Relevant knowledge of the local area and sea conditions:  
Jeandre Gerding is a local to South Africa. He has extensive knowledge of working on the sea for filming purposes in rough conditions along the South African coast. On a previous shoot with Jochen Zaeschmar and Kyle Swann he filmed false killer whales and oceanic bottlenose dolphins in the outer Hauraki Gulf, an area very similar to where we plan to film.

Full Name: David Reichert Job Title: Camera Operator

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: N/A

Relevant experience with marine mammals:  
David Reichert is a highly experienced camera operator who specialises in capturing the natural history behaviour of wild animals. He has worked on a number of landmark wildlife series produced for the BBC, Netflix and National Geographic including Blue Planet II, The Hunt, Our Planet and Hostile Planet. He has filmed a variety of marine mammals from the poles to the tropics, including seals in the Antarctic and blue whales off the west coast of North America.

Relevant knowledge of the local area and sea conditions:  
David Reichert is extremely experienced in working at sea and filming from boats in adverse, rough sea conditions. He has been on many vessel-based filming expeditions in areas of extremely rough seas around the Arctic and Antarctic.

Full Name: Andre Rerekura Job Title: Camera Operator

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: N/A

Relevant experience with marine mammals:  
Andre Rerekura is an Australia based natural history camera operator. He has extensive experience filming sensitive marine mammals with drones, underwater cameras, and pole-cams including dugongs, humpback whales, false killer whales and orca. He recently worked on the BBC's landmark wildlife series 'Seven Worlds, One Planet' and the upcoming BBC series 'Mammals'.

Relevant knowledge of the local area and sea conditions:  
Andre Rerekura has extensive experience working at sea from vessels in rough conditions. This includes experience filming from vessels to capture the undisturbed behaviour of fast-moving cetaceans such as orca and false killer whales, similar to the species and scenarios we will experience in New Zealand. On a previous shoot with Jochen Zaeschmar and Kyle Swann, he filmed false killer whales and oceanic bottlenose dolphins in the outer Hauraki Gulf.

Full Name: Dan Beecham Job Title: Camera Operator

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: N/A

Relevant experience with marine mammals:  
Dan Beecham is a highly experienced underwater camera and drone operator specialising in documenting the natural behaviour of animals. Dan has extensive experience filming sensitive marine mammals underwater and with a drone, from orca and humpback whales hunting herring in Norway to sea lion hunting behaviour in the Galapagos and the social behaviour of sperm whales in Mauritius. Dan's work has featured in world renowned documentary series including 'Blue Planet II', 'Seven Worlds, One Planet', 'Hostile Planet' and the upcoming BBC series 'Mammals'.

Relevant knowledge of the local area and sea conditions:  
Dan Beecham has extensive experience working on film shoots in remote locations and harsh conditions. This includes living on and working from vessels to film marine mammals in temperate and sub-tropical environments with sea conditions similar to those expected at our filming locations.

Full Name: Bérénice Mathieu Job Title: Camera Operator

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: N/A

Relevant experience with marine mammals:  
Bérénice Mathieu is a highly skilled underwater, topside, and drone camera operator with extensive experience filming sensitive marine mammals from vessels, including bottlenose dolphins, beluga, and polar bears. She has over 2000 logged dives, and is an avid diver using SCUBA, CCR, and freediving techniques.

Relevant knowledge of the local area and sea conditions:  
Bérénice Mathieu is highly experienced at working from vessels for the purpose of filming marine mammals in sea state conditions similar to what we expect to experience in our proposed filming areas.

Full Name: Shelton Du Preez Job Title: Camera Operator

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: N/A

Relevant experience with marine mammals:  
Shelton is an experienced underwater camera operator, assistant and drone operator with extensive experience working in, and on, the ocean. He has filmed several cetacean species across the globe and is a confident and competent SCUBA diver, rebreather diver and freediver.

Relevant knowledge of the local area and sea conditions:  
Shelton has lived and worked on boats and has experience working across the globe in every ocean.

Full Name: Oliver (Ollie) Putnam Job Title: 2<sup>nd</sup> Camera Operator/Camera Assistant/Dive Safety/Dive Supervisor

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: N/A

Relevant experience with marine mammals:  
Ollie is an underwater Natural History cameraman, camera assistant, safety diver and dive supervisor with over 15 years diving experience and over 4000 logged dives, holding HSE Part IV, TDI MOD1 rEvo CCR, PADI MSDT Instructor and TDI Advanced Nitrox certifications. He is currently working at the BBC Natural History Unit on the Blue Planet III series and is a member of the BBC NHU Dive Safety Team, with credits on BBC, AppleTV, ITV, Sky, S4C and Discovery. He has worked and filmed around the world including in Australia, SE Asia, Southern Africa, the US and Caribbean, filming marine species from benthic, macro size to oceanic shark species and humpback whales in a wide range of environments.

Relevant knowledge of the local area and sea conditions:  
Ollie is very experienced working at sea having crewed on liveaboard boats for many years and has been on many vessel-based filming expeditions around the world often in rough sea conditions. He has spent time previously travelling and diving around New Zealand's North and South Islands.

Full Name: Natalie Turner-Blackman Job Title: 2<sup>nd</sup> Camera Operator/Camera Assistant/Dive Safety/Diver Supervisor

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: N/A

Relevant experience with marine mammals:  
Natalie Turner-Blackman is an experienced underwater camera assistant and safety diver who has previously worked in open ocean settings filming Atlantic spotted and bottlenose dolphins off the coast of the Bahamas. She has also filmed and worked closely with the 'Snotbot' team off the coast of Baja to retrieve snot samples of Blue whales, as well as recording the first unmanned aerial vehicle drop of their recently developed heart rate monitor. Natalie has worked on a conservation story based around the Gray whales of San Ignacio Bay, speaking with local scientists and fishermen turned tour operators about the daily behaviours seen in the bay. Natalie studied marine biology at master's level and is experienced with a large array of ocean species.

Relevant knowledge of the local area and sea conditions:  
Natalie Turner-Blackman is experienced in working at sea and filming from boats, and is well versed in best in-water practices when diving from a vessel. She has worked in difficult sea states and has a keen eye for spotting wildlife.



Full Name: Jochen Zaeschmar

Job Title: Researcher, Skipper

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: N/A

Relevant experience with marine mammals:

Jochen Zaeschmar has nearly 20 years' experience interacting with and studying marine mammals, including a multitude of encounters with pilot whales for research and filming purposes. Jochen is the author of multiple scientific publications on offshore delphinids, including pilot whales, and one of the foremost experts on marine mammals in New Zealand.

Relevant knowledge of the local area and sea conditions:

Jochen Zaeschmar is a researcher, local charter boat operator and commercial skipper with thousands of hours spent operating vessels in the area since 2000. Additionally, Jochen has safely skippered vessels for the purpose of filming pilot whales in the past, and has acted as an advisor to film crews, helping identify and interpret behaviours and ensuring that the filming activity does not cause disturbance to the animals.

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## C. Filming from vessels

Maximum number of vessels operating at any one time:

The number of vessels operating will depend on which combination of liveaboard vessel and smaller tender vessel(s) we are able to hire for this project, which we are still in the process of finalising. The maximum number of vessels operating at one time would be 3, for instance if we use one liveaboard and two smaller tender vessels. However, the liveaboard vessel will likely remain at a distance greater than 300 meters away from the pilot whales. Thus, the likely maximum number of vessels that might approach closer than 300 meters at any one time for filming purposes is 2 (i.e. the 2 smaller tender vessels). We will keep DOC updated when we have finalised which vessels we will be using for this project. Below is a list of potential vessels we may use, including two descriptions of the general type of vessels we are looking to hire (Vessel 4 & Vessel 5 descriptions).

### Type and number of vessels (Copy and paste details for additional vessels)

#### Vessel 1 description:

Location(s) of filming: See Location Information in Section B above

Vessel name: Manawanui

Make: Mono-hull Sailing Yacht

Model: John Pugh

Size: 72 feet

Motive power: Single 120-hp diesel engine

Construction and hull design:  
Steel mono-hull displacement

Planing hull:

Displacement hull:

Maximum speed: 8 knots

Normal cruising speed: 6 knots

#### Vessel 2 description:

Location(s) of filming: See Location Information in Section B above

Vessel name: Rubber Duck (tender vessel)	Make: RIB
Model: 4.1 meters RIB	Size: 4.1 meters
Motive power: Single 30-hp Yamaha two-stroke engine	Construction and hull design: RIB
Planing hull: ✓	Displacement hull: <input type="checkbox"/>
Maximum speed: 20 knots	Normal cruising speed: 15 knots

### Vessel 3 description:

Location(s) of filming: See Location Information in Section B above	
Vessel name: RustHunter (tender vessel)	Make: RIB
Model: 7.6 meter RIB	Size: 7.6 meters
Motive power: 2 x 150 hp 4-stroke outboard engines	Construction and hull design: RIB, mono-hull
Planing hull: ✓	Displacement hull: <input type="checkbox"/>
Maximum speed: 35 knots	Normal cruising speed: 25 knots

### Vessel 4 description:

Location(s) of filming: See Location Information in Section B above	
Vessel name: TBD	Make: Lazercraft, Stabicraft, or similar type of vessel
Model: TBD	Size: 6-9 meters
Motive power: Single or twin engines. Likely not exceeding 1 x 250 hp engine or 2 x 150 hp engines.	Construction and hull design: Aluminium or similar
Planing hull: ✓	Displacement hull: <input type="checkbox"/>
Maximum speed: 40 knots or similar	Normal cruising speed: 25 knots or similar

### Vessel 5 description:

Location(s) of filming: See Location Information in Section B above	
Vessel name: TBD	Make: RIB
Model: TBD	Size: 5-8 meters
Motive power: Single or twin engines. Likely not exceeding 1 x 250 hp engine or 2 x 150 hp engines.	Construction and hull design: RIB, mono-hull

Planing hull:

Displacement hull:

Maximum speed: 35 knots or similar

Normal cruising speed: 25 knots or similar

## Filming with a drone

Maximum number of drones operating at any one time:

1

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

### Drone 1 description:

Location(s) of filming: See Location Information in Section B above

Model: DJI Mavic 3 Pro Cine

Noise level: Low Levels

### Drone 2 description:

Location(s) of filming: See Location Information in Section B above

Model: DJI Mavic 3 Cine

Noise level: Low Levels

### Drone 3 description:

Location(s) of filming: See Location Information in Section B above

Model: DJI Inspire 3

Noise level: Low Levels

### Drone 4 description:

Location(s) of filming: See Location Information in Section B above

Model: DJI Inspire 2

Noise level: Low Levels

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## D. Other

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