VOLUNTARY NATIONAL CETACEAN CONSERVATION REPORT

Submitted to the Conservation Committee by the Government of New Zealand

1. Legal and other developments

Cetaceans in New Zealand are fully protected under the provisions of the Marine Mammals Protection Act 1978, and the Marine Mammals Protection Regulations (MMPR) 1992, which prescribe the behaviour of vessels, aircraft and vehicles in the vicinity of marine mammals. While the accidental capture of marine mammals in fishing operations is not an offence *per se*, any such capture must be reported within 48 hours.

The Minister of Conservation recently announced her intention to establish four new marine mammal sanctuaries and to enlarge the Banks Peninsula Marine Mammal Sanctuary. These proposals complement additional fisheries measures announced by the Minister of Fisheries to significantly extend the current prohibition on the use of gill nets, to improve the protection offered to these endemic dolphins.

2. Information on whale watching operations

Whale and dolphin watching operations are an important part of New Zealand's attractions for overseas visitors, contributing over NZ$120 million annually to the New Zealand economy. The Marine Mammals Protection Regulations 1992 are the primary tool for managing whale and dolphin watching operations. Following discussions at the Whalewatching Subcommittee at IWC 58 and 59, at which it was postulated that bottlenose dolphins in Doubtful Sound, Fiordland were suffering adverse impacts as a consequence of increased vessel traffic, the Department of Conservation has implemented new management measures to reduce harassment for this population (see SC60/WW7).

3. International Affiliations and Cooperation

New Zealand is party to a number of multi-lateral agreements related to cetaceans, including:

- International Convention for the Regulation of Whaling (ICRW);
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); and
- Convention on Migratory Species (CMS)

New Zealand is a signatory to the Memorandum of Understanding on the Conservation of Cetaceans and their Habitats in the Pacific Islands Region, developed under the auspices of the Convention on Migratory Species.

New Zealand is collaborating with the government of Tuvalu in a programme of capacity-building and cetacean surveys in its Exclusive Economic Zone.

4. Research Projects

The NZ Government is funding a range of projects aimed at determining the population numbers and trend, migratory pathways and important habitat areas (calving, resting, feeding and breeding) for a number of whale species. A number of other organisations in NZ are also conducting and funding cetacean research.

A summary of relevant research activities in 2006-07 is provided in the following table:

Whale species	Research focus
Humpback	• Survey of northbound migration through Cook Strait
Bryde's	• Investigation into population status and impacts of ship strike on Bryde's whales in the Hauraki Gulf (Auckland University) (See SC60/BC 9)
Southern right	• Opportunistic sightings and genetic sample collection around New Zealand coastline to determine if individuals seen around the main two islands of New Zealand are genetically or geographically isolated from sub-Antarctic populations. • Genetic analysis of archived right whale tissue • Survey in Auckland Islands planned for austral winter 2008 • Modelling of the decline and recovery of southern right whales in New Zealand waters
Inshore dolphins	• Investigation of genetic relatedness in stranded pilot whales • Aerial surveys to better define offshore and alongshore distribution of Maui's dolphins. • The deployment of automated monitoring systems (Porpoise Detection Devices) to establish use of harbours on the West Coast of the North Island by Maui's dolphins • Assessment of the acoustic impacts of vessel traffic on bottlenose dolphins in Fiordland, especially in relation to dolphin watching boats.

5. Ship Strike

New Zealand was pleased to see the issue of ship strike raised at the IMO and congratulates the ship strike working group on the excellent progress it has achieved. As mentioned in last year's report, the problem of ship strike is becoming of increasing concern in the Hauraki Gulf.

Following IWC 59, New Zealand convened a specialist workshop on ship strike, led by Dr Michael Moore, an experienced forensic veterinary scientist from Woods Hole Oceanographic Institute in the USA. Dr Moore provided clear directions for conducting a necropsy of a dead beached whale to investigate whether or not vessel strike is likely to have been the cause of death. Key features of such necropsies include:

- The need for a small but skilled team to conduct the necropsy;
- The importance of having heavy machinery at hand to assist with dismantling the carcass in a careful manner to look for signs of vessel strike;
- The importance of pathological and histological investigations of tissues to look for indications of vessel strike at the cellular level.

The workshop was followed by a seminar with stakeholders including Ports of Auckland, Auckland Regional Council, Professional Skipper magazine and the New Zealand Navy.

Stakeholders were very sympathetic to the problem, and expressed a willingness to consider the development of mitigation measures, such as speed restrictions or changes to shipping lanes, should the weight of scientific evidence point towards vessel strike as a major source of avoidable mortality.

Subsequent to the workshop, two of the stakeholders provided financial and material support to allow for a more detailed examination of the records of possible ship strikes in the Hauraki Gulf area. The results of this work have been submitted to the Scientific Committee as SC60/BC9, and will be submitted for publication shortly. The number of ship strikes on Bryde's whales reported in this paper should be regarded as more reliable than the provisional estimates reported last year.