

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 to appropriate officials within 48 hours.

A Threat Management Plan is currently in preparation for Hector's and Maui's dolphins (*Cephalorhynchus hectori hectori* and *Cephalorhynchus hectori maui*). The Plan will seek to eliminate or significantly reduce human induced threats to these endemic species. The plan will take both fishing and non-fishing related threats into consideration. It is expected that a number of actions to eliminate or mitigate threats to these species will be implemented by the New Zealand Government during December 2007.

2. Information on whale watching operations

Whale and dolphin watching operations continue to be 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. Compliance with the provisions of the Regulations is achieved through both overt and covert monitoring.

A permit to view marine mammals is only required if an operator specifies its intention to view marine mammals. Research conducted recently in Fiordland indicated adverse impacts on bottlenose dolphins from tourist vessels that do not advertise an intention to view dolphins and thus do not require permits under the MMPR. The Department of Conservation is developing a Code of Conduct with operators to minimise disturbance to dolphins.

3. Current Government programmes related to cetacean conservation

Guidelines for Seismic Surveys

In light of the increasing interest in exploring for hydrocarbon resources on New Zealand's Continental Shelf, there has been an increase in the number of seismic surveys conducted in the New Zealand Exclusive Economic Zone. A set of guidelines has been developed to minimise the impacts of seismic surveys on marine mammals. The guidelines are available from the following web link:

www.pepanz.org/downloads/Offshore_Seismic_Guidelines.pdf.

Associated reference documentation is available from:

http://www.pepanz.org/downloads/Offshore_Seismic_Guidelines-background.pdf

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 the Conservation of Migratory Species of Wild Animals (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 CMS.

New Zealand is collaborating with the government of Tuvalu, as well as the South Pacific Regional Environment Programme (SPREP) and CMS, in a programme of capacity-building and cetacean surveys.

In association with the United States and Australian governments and SPREP, New Zealand hosted a two-week workshop from 26 September – 6 October 2006 to provide training and upskilling for Pacific Island participants in cetacean research techniques and the management of whale stranding events.

Research Projects

The New Zealand 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 New Zealand are also conducting and funding cetacean research.

A summary of relevant research activities in 2006-2007 is provided in the following table:

Whale species	Research focus
Humpback	<ul style="list-style-type: none"> • Survey of northbound migration through Cook Strait
Bryde's	<ul style="list-style-type: none"> • Investigation into population status and impacts of ship strike on Bryde's whales in the Hauraki Gulf (Auckland University) • Mitigation of ship strike in Hauraki Gulf
Southern right	<ul style="list-style-type: none"> • 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 our sub-Antarctic populations. • Survey in Auckland Islands, austral winter 2007
Inshore dolphins	<ul style="list-style-type: none"> • 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.
General	<ul style="list-style-type: none"> • Review of strandings data base to assess compatibility with Australian data base. • Closer collaboration and knowledge exchange with Department of Environment and Water (Australia) and NOAA (United States) on management of strandings and disentanglement of whales

Proposals for future work of the Conservation Committee

For New Zealand, as for many other IWC members, the issue of climate change has assumed a greater significance than ever before over the past year. It is now apparent that cetaceans and other highly migratory marine species may be very susceptible to the impacts of climate change. Other international agencies, including CMS and the United Nations Environment Programme (UNEP), are paying increasing attention to the potential impacts of climate change on cetaceans.

New Zealand notes that the Scientific Committee has been discussing preparations for a workshop on the impacts of climate change on cetaceans. New Zealand recommends that the Conservation Committee support such a workshop and consider the outcomes of the workshop in developing its own future work programme on this issue.

Annex 1

Ship strike in the Hauraki Gulf, New Zealand

A review has been undertaken of data of Balaenopteridae whale deaths due to ship strike in the Hauraki Gulf 1997 – 2007. Of the 25 large baleen whale deaths identified, 23 were Bryde's whales, in addition to one sei whale and one pygmy blue whale.

From aerial survey and photo-identification data, the Bryde's whale population of the Hauraki Gulf has been estimated at between 150 and 200 whales. Ship strike is therefore clearly a significant issue.

Animals are recorded as victims of ship strike where:

- Whales arrive in port wrapped around the bow of a vessel;
- Post mortem bone recovery has identified vertebral and other skeletal damage indicative of blunt force injuries;
- Necropsy conducted by experienced (but not trained veterinarian) Department of Conservation (DOC) staff and researchers has identified skeletal damage or haematomas indicative of blunt force injuries;
- Whales are found floating dead and fresh, with signs indicative of high force blunt trauma or clean cuts suggestive of propeller cuts.

The Department of Conservation in Auckland has met with the representatives of commercial and recreational harbour users, and a dialogue has been opened about mitigation measures that could be employed to reduce the incidence of ship strike on Bryde's whales in the Hauraki Gulf.

The Department of Conservation and the Auckland Harbour Master have agreed to develop an advisory notice that will be sent to all incoming commercial vessels notifying the ships' masters that:

- The Hauraki Gulf is considered an important habitat for Bryde's whales;
- Vessels should therefore ensure that a vigilant lookout is maintained in the Hauraki Gulf;
- A reduction in vessel speed is recommended within the area where ship strikes most frequently occur;
- It is the responsibility of the ship's master to report any accidental collision with whales.