

**New Zealand Voluntary National Cetacean Conservation Report, 2012
Submitted to the Conservation Committee, IWC 64
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. The Marine Mammals Protection Regulations 1992 prescribe the behaviour of persons, 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.

On 23 October 2008, four new marine mammal sanctuaries were created around the coasts of New Zealand - the Te Waewae Bay, Catlins Coast, Clifford and Cloudy Bay, and West Coast North Island sanctuaries. The boundaries of the existing Banks Peninsula Marine Mammal Sanctuary were also expanded.

The legislative instruments which achieved the above are as follows -

- The Marine Mammals Protection (Te Waewae Bay Sanctuary) Notice 2008;
- The Marine Mammals Protection (Catlins Coast Sanctuary) Notice 2008;
- The Marine Mammals Protection (Clifford & Cloudy Bay Sanctuary) Notice 2008;
- The Marine Mammals Protection (West Coast North Island Sanctuary) Notice 2008;
- The Marine Mammals Protection (Banks Peninsula Sanctuary) Amendment Notice 2008.

The instruments regulate seismic surveys in the whole of the sanctuaries (and restrict mining in part of the West Coast North Island Sanctuary) to increase protection for Hector's and Maui's dolphins. Protection for the endemic Hector's and Maui's dolphins from fishing-related impacts was concurrently provided by regulations issued under the Fisheries Act 1996.

2. Current Government programs related to cetacean conservation

New Zealand supports the Southern Ocean Research Programme (SORP) initiated by Australia. New Zealand funded Paul Ensor on the SORP blue whale project which was two three-week cruises (January and March 2012) in the Bonney Upwelling off Victoria, Australia focused on pygmy blue whales. These were methods development cruises to inform the SORP blue whale project.

The NZ Government is also 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 other species of whales and small cetaceans (Table 1). Several other organisations in NZ are also conducting and funding cetacean research.

A summary of relevant research activities in New Zealand 2011-12	Research focus
Humpback Whales	Survey of northbound migration through Cook Strait (Department of Conservation - DOC)
Bryde's Whales	Investigation into the sub-surface behaviour of Bryde's whales in the Hauraki Gulf (Auckland University)
Southern right Whales	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 (DOC) Genetic analysis of archived right whale tissue (Auckland University and Oregon State University, in association with DOC) Ongoing Photo-identification and acoustic surveys of right whales at the Auckland Islands breeding area (Otago University and NZ Foundation of Research Science and Technology)
Inshore dolphins	Aerial surveys of Hector's and Maui's dolphins (DOC and Otago University) Observer programme on board inshore gill-net and trawl vessels to assess by-catch and distribution of Hector's and Maui's dolphins (Ministry of Fisheries and DOC) Ongoing monitoring of the bottlenose dolphin populations of Fiordland (DOC and Otago University) Necropsies of beach-cast Common, Hector's & Maui's dolphins to assess cause of death (DOC and Massey University) Population genetics of Maui's dolphin (Auckland University, Oregon State University and DOC) Habitat use monitoring of bottlenose dolphins in the Bay of Islands (Auckland University and DOC)

3. Current threats to cetacean conservation and management measures taken/proposed

Interaction with fishing activities can incidentally injure and kill cetaceans and is a leading human-related cause of mortality for Hector's & Maui's dolphins and Common dolphins in New Zealand. The Department of Conservation and Ministry for Primary Industry have developed a threat management plan for Hector's and Maui's dolphins and works with the fishing industry to develop or modify fishing equipment and techniques to minimize bycatch for all marine mammals. Observer coverage on NZ fisheries varies between fisheries and incidental capture of marine mammals in fishing operations must be reported. Protection for the endemic Hector's and Maui's dolphins from fishing-related impacts is provided by regulations issued under the

Fisheries Act 1996. Five Cetacean Marine Mammal Sanctuaries have been established within New Zealand waters covering over 1000km of coast. There is currently a proposal to extend the West Coast North Island sanctuary by 233,027 hectares, over 80km further south for greater protection of the Maui's dolphin sub species. A study of the oldest of these Sanctuaries – the Banks Peninsular Sanctuary established in 1988, which prohibits the use of gillnets within the sanctuary, found a significant (5.4%) increase in Hector's dolphins survival in the area which reduced the decline of this population significantly¹.

4. 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. New Zealand supports the Conservation Committees Strategic Plan for Whale watching.

5. Reporting systems for cetacean Injuries/Mortality/Strandings

The Department of Conservation (DOC), often in association with local Maori, has the statutory responsibility for managing cetacean stranding events, and maintains a comprehensive coverage of the New Zealand coastline through its area offices, field centres and local networks. All stranding events are reported to the Department of Conservation, which maintains a national georeferenced stranding database (1846-2012).

6. 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);
- 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 hosted the Second Meeting of Parties in Auckland, in July 2009 and attended the cetacean roundtable forum in Australian in March 2010.

¹ Gormley et al. 2012. First evidence that marine protected areas can work for marine mammals. J. Applied Ecology 49:474-480.