

Declaration Notice

Pursuant to Regulation 15 of the Marine Mammals Protection Regulations 1992, I, Michael Slater, Deputy Director-General, Operations, Department of Conservation, declare that, for a period of ten years from the date of this notice:

- a. no new permits shall be granted for commercial operations to view whales or dolphins, or to swim with dolphins, using motorised vessels, in those waters between Clay Point (173°98'E, 40°89'S) and Cape Koamaru (174°38'E, 41°09'S), including 1 nautical mile around Chetwode Islands, of the Marlborough Sounds, and includes waters within Tory Channel between East Head (174°324'E, 41°211'S) and West Head (174°316'E, 41°214'S).
- b. Clause (a) of this declaration:
 - i. **does not apply** to any application to renew, amend, or transfer (in whole or part) an existing commercial permit for the location specified above, if there is no material increase in the amount of contact of any type with marine mammals;
 - ii. **does not apply** to commercial operations to view dolphins or whales using shore-based kayaks, where no motorised vessel has been used to transport or launch the kayaks;
 - iii. **does apply** to sail boats that have a means of motorised propulsion, regardless of whether or not that propeller is in use at the time of encountering whales or dolphins;
 - iv. **does not apply** to any application for the purpose of research on or filming of marine mammals and where there are no fare-paying passengers.

Dated at Wellington this 17th day of October 2018.

MICHAEL SLATER, Deputy Director-General, Operations (pursuant to an instrument of delegation dated 9 September 2015).