



Marine Mammal Management Plan

Marlborough Aquaculture Fast-track Application

Aquaculture Direct Limited

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Basis of Report

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Acronyms and Definitions

DOC	Department of Conservation
Incident	Injury, or entanglement associated with marine farm structures and farm operations
Interaction	Physical contact of marine mammals with marine farm structures
MDC	Marlborough District Council
MMMP	Marine Mammal Management Plan
NESMA	National Environmental Standards for Marine Aquaculture
PPE	Personal Protective Equipment
Working day	Means a day of the week other than— (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.

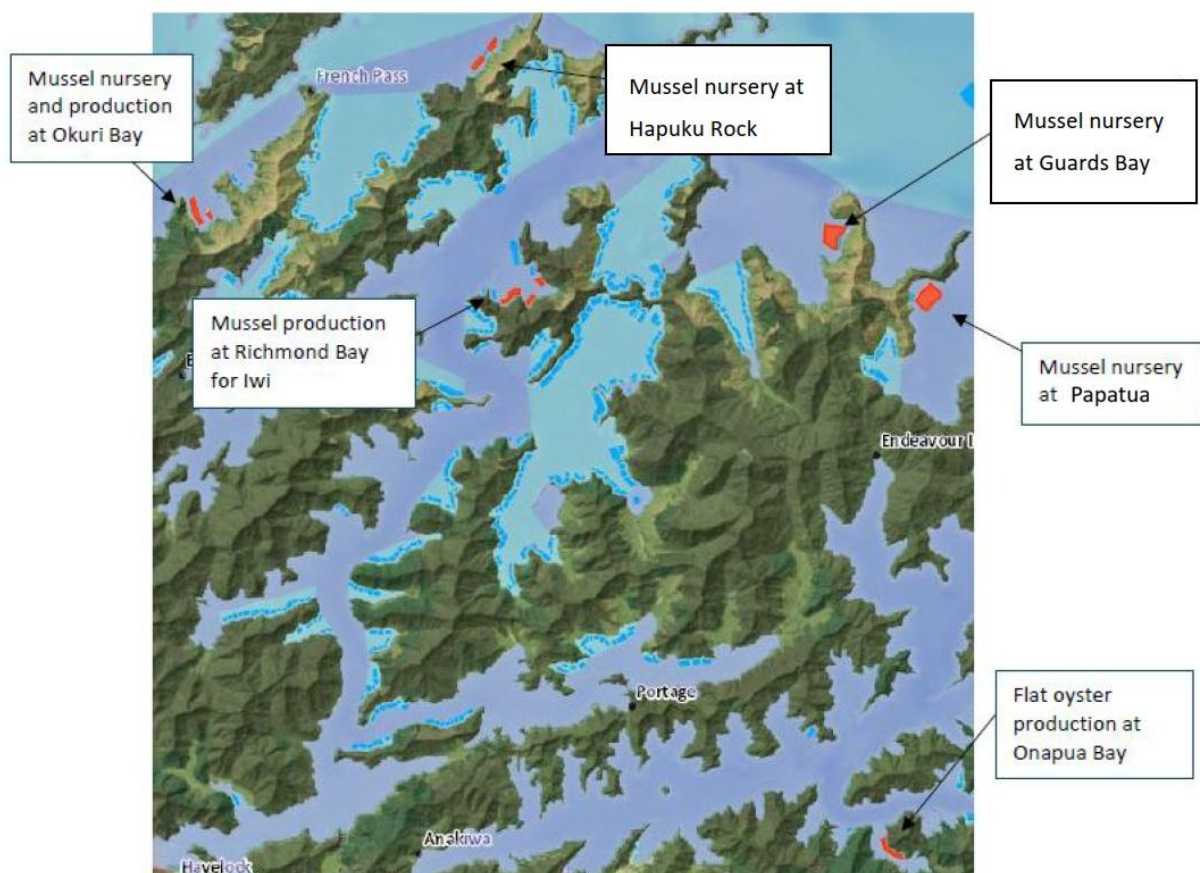


1.0 Introduction

This Marine Mammal Management Plan (**MMMP**) has been prepared for Aquaculture Direct Limited on behalf of Marlborough Aquaculture: a consortium of operators seeking to establish six separate new marine farm sites under the Fast-track Approvals Act. The purpose of each site differs in accordance with the information below, and site locations are provided as **Figure 1**:

- Hapuku Rock – Green lipped mussel (*Perna canaliculus*) nursery;
- Guards Bay – Green lipped mussel nursery;
- Papatua – Green lipped mussel nursery;
- Okuri Bay – Green lipped mussel nursery and production;
- Richmond Bay – Green lipped mussel production only; and
- Onapua Bay – New Zealand flat oyster (*Ostrea chilensis*) production.

Figure 1: Marine Farm Locations



The overall purpose of this MMMP is to minimise the potential for adverse effects on marine mammals from marine farm presence and operation (including from entanglement; marine debris, boat strike, and underwater noise) and to improve understanding of how dolphins use the farm sites and surrounds. The following specific objectives have been developed to support this purpose:

- Comply with all relevant legislation and consent conditions;
- Minimise the potential for ‘**interaction**’ (i.e. physical contact) of marine mammals with marine farm structures;
- Minimise the potential for marine mammal ‘**incidents**’ (i.e. injury, or entanglement) associated with marine farm structures and farm operations;
- Outline actions to be taken in the event that a marine mammal incident does occur;
- Describe any marine mammal monitoring requirements; and
- Align with the relevant requirements of the A+ New Zealand Sustainable Aquaculture Frameworks for mussels and oysters.

This MMMP outlines the protocols and management actions that will be adopted by Marlborough Aquaculture to achieve these specific objectives.

Unless specifically stated, the requirements of this MMMP apply to all six sites (as the potential risks that shellfish aquaculture pose to marine mammals, and the associated strategies to manage them, are relatively generic); however, where variances are identified between sites, site-specific appendices are provided.

A description of marine mammal species common to the Marlborough Sounds is provided in **Appendix A**.

1.1 Roles and Responsibilities

Table 1 identifies the key personnel responsible for implementing this MMMP. Training will be provided in accordance with **Section 7.0**.

Table 1 Allocation of key roles and responsibilities.

Position	Role/responsibility	Contact
Operations Manager	Overall responsibility for MMMP implementation. Instigates MMMP reviews as required. Supports Farm Managers in their MMMP roles.	Name: XXX Mobile: XXXX Email: XXX
Farm Manager	Comprehensive understanding of the MMMP requirements. Supervises farm/vessel staff and ensures MMMP implementation at each specific farm site. Reports all incidents to the relevant parties. Collates monitoring data. Provides staff training on the requirements of this MMMP.	Name: XXX Mobile: XXXX Email: XXX
All farm and vessel staff	MMMP implementation on a day-to-day basis.	



Position	Role/responsibility	Contact
	Compliance with MMMP protocols. Monitoring data collection. Incident response.	
Marlborough District Council	Regulator, monitors compliance with consent conditions.	Name: XXX Mobile: XXXX Email: XXX
Department of Conservation (DOC) Operations Manager, Picton	Receives incident reports and provides advice as required.	Name: XXX Mobile: XXXX Email: XXX
DOC large whale disentanglement team leader (South Island)	Provides advice/responds as required	Name: XXX Mobile: XXXX Email: XXX
DOC Seal Specialist	Provides advice as required	Jody Weir Mobile: XXXX Email: XXX
Local Fisheries Officer	Receives incident reports	Name: XXX Mobile: XXXX Email: XXX
Iwi representatives	Provides cultural advice as required.	Iwi 1 Name: XXX Mobile: XXXX Email: XXX Iwi 2 Name: XXX Mobile: XXXX Email: XXX Iwi 3 Name: XXX Mobile: XXXX Email: XXX



2.0 General Protocols

2.1 Compliance with the Marine Mammal Protection Act 1978

All marine mammals in New Zealand waters are fully protected under the Marine Mammals Protection Act 1978. It is an offence to 'take' a marine mammal without a permit, including:

- To take, catch, kill, injure, attract, poison, tranquillise, herd, harass, disturb or possess;
- To brand, tag, mark, or do any similar thing; and
- To flense, render down, or separate any part from a carcass.

Marlborough Aquaculture does not hold a permit to 'take' marine mammals. Any individual involved in any action in respect of marine mammals is responsible for their own actions under the Marine Mammals Protection Act 1978. Non-compliance constitutes serious misconduct and could result in penalties and/or prosecution for the individual or company. However, defences under the act provide exemptions as follows:

- Assisting an injured marine mammal (see **Section 4.1**);
- Retrieval of dead marine mammals under the direction of DOC (see **Section 4.2**); and
- Disposal of a dead marine mammal under the direction of DOC (see **Section 4.2**).

Section 16(1)(b) of the Marine Mammals Protection Act 1978 requires that any person who accidentally or incidentally kills or injures a marine mammal whilst engaged in fishing activities (including marine farming) must report the event in writing to a DOC warranted marine mammal officer or a fisheries officer as soon as practicable. The report must include the following details of the incident: location, species, description of conditions and circumstances of the event. These reporting requirements are fundamental to this MMMP and have been incorporated into **Section 4.0** and **Appendix D** (the Marine Mammal Reporting Form) of this MMMP.

2.2 Compliance with the Marine Mammal Protection Regulations 1992

The Marine Mammal Protection Regulations 1992 outline the behaviours that must be adhered to by all persons around marine mammals. Compliance with these regulations is a legal requirement and is further discussed in **Section 3.3**.

2.3 Compliance with the Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020

The National Environmental Standards for Marine Aquaculture (**NESMA**) provide consistent regulations to manage existing marine farms around New Zealand, and ensure existing marine farms meet best environmental practice. This MMMP has been developed to align with the NESMA requirements.

The relevant matters of discretion in the NESMA are:

- Regulation 18(h): management practices to minimise adverse interactions between marine mammals or seabirds and the marine farm, including entanglements, injury, and mortality;
- Regulation 18(l): information, monitoring, and reporting requirements; and



- Regulation 20(1): for replacement coastal permits for offshore marine farms¹ under this Part, an additional matter of discretion is the adverse effects of the entanglement of large whales.

2.4 Compliance with Consent Conditions

Consent to operate the marine farms is contingent on compliance with a suite of conditions. Relevant conditions to marine mammal management are outlined in **Appendix B** and are addressed throughout the specific sections of this MMMP. Compliance with this MMMP is a condition of consent. The Marlborough District Council (**MDC**) is the relevant consenting authority.

2.5 Compliance with General Best Practice

In keeping with general best practice:

→ **All farm workers shall remain vigilant to potential threats to marine mammals and must take steps to mitigate any threat identified as soon as reasonably practicable.**

→ **Farm workers must not disturb or harass marine mammals.**

Furthermore, all sections of this MMMP have been developed to reflect best national and international practice at the time of writing.

2.6 Compliance with the A+ New Zealand Sustainable Aquaculture Framework

All farm operators are members of the A+ New Zealand Sustainable Aquaculture Framework; hence, this MMMP has been developed to reflect the framework requirements. The objectives of A+ align with those of world leading accredited certification programmes e.g. the Aquaculture Stewardship Council and Best Aquaculture Practice.

3.0 Interaction & Incident Avoidance Protocols

The following protocols set out to 1) avoid attracting marine mammals to farm sites, 2) avoid marine mammal entanglement, 3) avoid vessel strike incidents, and 4) avoid the generation of marine debris which could result in marine mammal injury.

3.1 Avoiding Entanglement

Marine mammals that echolocate to navigate and forage (e.g. dolphins and orca) are able to effectively perceive mussel farms and navigate through or around them. But the risk of entanglement is higher for baleen whales (e.g. southern right whales and humpback whales), and despite their infrequent presence in the Marlborough Sounds, managing entanglement risk is a key component of this MMMP.

The appropriate management and maintenance of farm structures is a fundamental and globally recognised technique for reducing the risk of entanglement for marine mammals. In accordance with this, the practices outlined in **Table 2** shall be followed.

¹ 'Offshore marine farms' are defined as farms that are more than 500 m from Mean High Water Springs



Table 2 Protocols to ensure farm structural integrity to avoid entanglement.

Marine Farm Structure and Maintenance Requirements	Protocol to be followed
Entanglement hazards on the marine farm must be avoided.	- Keep farm structures and equipment free of loose floating lines or ropes. - Any loose lines or ropes must be secured and/or retrieved promptly. - Any loose lines, or ropes that must remain in the water must be buoyed off to a header float to ensure that the length of line through the water column remains as taut and vertical as possible, with the minimum amount of slack. Slack line on the surface should also be minimised.
Anchor warps must be kept taut at all times.	Anchor warps will be installed by an experienced marine contractor and tensioned during installation, following which regular inspections will be undertaken to ensure they remain tensioned.
Where a farm site consists of multiple blocks, anchor warps for adjacent blocks must not cross underwater.	Site layout plans have been reviewed to confirm that no direct overlap between adjacent warp lines will occur.
Mussel nursery lines shall be sufficiently weighted to ensure they sink and remain as taut and vertical as possible.	For the nursery farms, and at the time of primary seeding, lines will be weighted to ensure tension.
All marine farm structures shall be maintained to ensure that they are restrained, secure and in working order at all times so as to not create an entanglement hazard.	Surface maintenance inspections to visually identify any damage to backbone lines/other surface structures will occur: - During farm operations; and - Immediately after a significant weather event². Farm structure maintenance inspections to test integrity of anchors, warps and backbones will be undertaken by an experienced skipper and will occur: - Once a year for nursery sites; - At the end of a crop cycle for crop sites; - When lines are cleaned; and - Immediately after a significant weather event. Any structural damage identified during inspections will be rectified as soon as practicable. If damage results in loose lines remaining in the water for an extended period and repairs cannot be completed promptly, DOC should be notified so that disentangling response capability can be placed on standby.

² Damage from significant weather events can be successfully evaluated from the surface, indicators of damage include: 1) floats sitting high in the water which indicate lost crop lines, or 2) floats out of position which indicate a lack of tautness or structural integrity.



3.2 Avoiding Attraction

Under no circumstances shall any marine farm worker attempt to attract a marine mammal into the farm boundary. In particular:

- **Any marine farm vessel accompanied by dolphins shall not enter the marine farm boundaries until the animals have departed company.**
- **Marine farm and vessel staff must not offer food to any marine mammal.**

3.3 Avoiding Vessel Strike

This section outlines vessel operating guidelines to minimise the risk of farm vessels colliding with marine mammals. Larger whales that remain at or near the sea surface for extended periods of time are particularly vulnerable to ship strike, but care must be taken when operating marine farm vessels around all marine mammals.

Protocols for Safe Vessel Operation

Compliance with the Marine Mammal Protection Regulations 1992 is a legal obligation for all vessels operating in New Zealand waters and reduces the potential for vessels to collide with or disturb marine mammals. The following requirements are directly relevant to reducing collisions between marine mammals and marine farm vessels:

- Vessel operators shall endeavour not to disrupt the normal movement or behaviour of marine mammals;
- Care should be taken not to separate any individuals from, or scatter any groups of marine mammals and no vessel shall proceed through a pod of dolphins;
- No sudden or repeated change in the speed or direction of any vessel shall occur in the vicinity of marine mammals (except in emergency circumstances);
- No vessel shall cut off the path of a marine mammal;
- Vessels less than 300 m from a marine mammal shall move at a constant slow (no wake) speed. In the case of dolphins, vessels may exceed this speed in order to outdistance the dolphins but must increase speed gradually, and shall not exceed 10 knots within 300 metres of any dolphin;
- No vessel shall approach within 50 m of a whale, and if a whale approaches a vessel, the vessel shall make every attempt to keep out of the path of the whale and to maintain a minimum distance of 50 m; and
- No vessel shall approach within 200 m of a baleen whale (or sperm whale) with a calf.

In line with these requirements all dedicated marine farm vessels shall display a laminated version of **Appendix C**, the **Key Messages** being:

- During transit, vessels to stay at least 300 m from any observed marine mammal.
- When operating in a farm, move only at idling speed if marine mammals present.

3.4 Avoiding Marine Debris Effects

This section outlines debris management requirements to avoid entanglement of marine mammals or their ingestion of waste material. When best practice management is followed the potential for marine debris from marine farms is very low.



Protocol for Waste Management

- All cordage debris (e.g. ties, lashings, etc.), plastic strapping and other non-biodegradable waste must be collected, retained and disposed of at an approved solid waste facility onshore;
- If any debris is lost overboard, or any farm structures (e.g. anchors, lines, droppers, ties, or floats) are lost to the seabed, water column or foreshore during farm operations, these item/s must be promptly retrieved if safe to do so; and

4.0 Incident Response Protocols

4.1 Live Response – Entanglement, Injury or Vessel Strike

- Personnel Safety is Paramount -

Procedure to follow for an entangled large whale or orca:

1. Call the DOC 'Large Whale Disentanglement Team' on (phone number: add) and act as directed.
2. Follow steps 2 – 4 of the procedure for all live marine mammal responses below.

The process of large whale disentanglement is a very specialised skill that should not be attempted without prior communications with DOC. It can be extremely dangerous and has led to the accidental death of responders in the past. DOC maintains a team of highly trained staff that specialise in whale disentanglement: the 'Large Whale Disentanglement Team'. This team, based in Kaikoura, has access to specialist satellite tracking and disentanglement equipment and is available to respond and provide advice as necessary.

The following **Key Safety Messages** must be strictly adhered to:

- staff should never enter the water with a marine mammal; and
- staff should never attempt to free a marine mammal without another person present.

Procedure to follow for all live marine mammal responses:

1. Immediately call one of the following DOC numbers and act as directed:
 - For advice during business hours, DOC Picton, phone 0800 275 362
 - For advice outside business hours, 0800 DOC HOT, phone 0800 362 468
2. Assess situation from a safe distance – what species, what structures are involved, is equipment available to assist, can animal be safely cut free from any entangling lines without retaining cordage/debris (which could significantly affect its ongoing health)?
3. Retain any entangling material to assist with the identification of causative factors.
4. Fulfil reporting requirements (in accordance with the Marine Mammal Protection Act 1978 (s18(1)a) by emailing a completed Marine Mammal Reporting Form (see template provided in **Appendix D**) to all of the following parties as soon as practicable³:
 - DOC National Office, email: marinemammals@doc.govt.nz
 - DOC Picton Office, email: picton@doc.govt.nz

³ Generally interpreted as 'at the earliest reasonable opportunity having regard to the circumstances and without undue delay'



- Local Fisheries Officer, email: add
- MDC Consents Officer, email: monitoring@marlborough.govt.nz
- Iwi, email: add
- Farm Operations Manager, email: add. Noting an entanglement incident triggers the requirement to review the MMMP within 30 working days⁴.

Note failure to fulfil these reporting requirements is a contravention of the Marine Mammal Protection Act 1978.

In some circumstances farm staff may be able to safely take action to set an animal free; however, the Key Safety Messages and relevant Procedure above must be followed.

4.2 Dead Marine Mammal Response

This section outlines the procedures to be followed in the event of a dead marine mammal occurring within the marine farm boundaries (regardless of whether death is related to farm structures or not). In some circumstances DOC may require a necropsy to be conducted and arrangements for transport to an appropriate necropsy facility will be determined in consultation with DOC on a case by case basis.

The Conservation Protocol between DOC and tangata whenua as allowed for under the Deed of Settlement of the Treaty of Waitangi, ensures that relevant iwi will be notified of and consulted upon the disposal of, and potential harvest of cultural material from deceased marine mammals. Iwi involvement is included in the 'Procedure to follow' below.

Procedure to follow if a dead marine mammal is discovered:

1. Immediately call one of the following DOC phone numbers for advice on a) carcass recovery for necropsy or b) disposal; and act as directed:
 - For advice during business hours, DOC Picton, phone 0800 275 362
 - For advice outside business hours, 0800 DOC HOT, phone 0800 362 468
2. Take at least one photograph of the dead animal.
3. If DoC gives authorisation for disposal, contact iwi, phone: add.
4. Retain any entangling material to assist with the identification of causative factors.
5. Fulfil reporting requirements (in accordance with the Marine Mammal Protection Act 1978 (s 16 and s18(1)a) by emailing a completed Marine Mammal Reporting Form (see template provided in **Appendix D**) to all of the following parties as soon as practicable²:
 - DOC National Office, email: marinemammals@doc.govt.nz
 - DOC Picton Office, email: picton@doc.govt.nz
 - MDC Consents Officer, email: mdc@marlborough.govt.nz
 - Iwi, email: add
 - Farm Operations Manager, email: add. Noting an entanglement incident triggers the requirement to review the MMMP within two months.

⁴ Where 'working day' carries the same meaning as that defined under the Natural Environment Bill 2025 (refer definition on page iii of this plan).



Note failure to fulfil these reporting requirements is a contravention of the Marine Mammal Protection Act 1978.

Safety When Handling Marine Mammals

Marine mammals can carry some diseases that are transferrable to humans through contact with bodily fluids. For example, seals can carry tuberculosis, and seals, dolphins and whales can carry mycobacteria which can result in antibiotic resistant infections. The use of personal protective equipment (**PPE**) provides the best defence against disease for those who need to handle marine mammals.

→ **All marine farm workers handling dead marine mammals must, as a minimum, wear disposable latex gloves. However, sturdier rubber gloves are preferable.**

If a farm worker becomes sick after handling a marine mammal (dead or alive), they should seek immediate medical advice and should advise their medical professional of their recent exposure to marine mammals.

5.0 Underwater Noise Protocols

Marine mammals rely on sound for their survival, e.g., communication, foraging, navigation, reproduction, parental care, avoidance of predators, and general situational awareness. Underwater noise generated by human activity (including operational farm vessels) has the potential to adversely affect marine mammals through behavioural changes, displacement, attraction, and/or the masking of vocalisations. While the level of underwater noise associated with marine farms is minimal compared to other anthropogenic underwater noise sources, the following protocols (as recommended by Fisheries New Zealand, 2021⁵) will be implemented to ensure noise emissions from vessels serving the farm are minimised.

Protocols to Minimise Underwater Noise

- All equipment and vessels must be regularly maintained and serviced (e.g., lubrication and repair of winches, generators); and
- All noise suppression equipment, such as mufflers and ventilation baffles, must be maintained in good working order.

6.0 Marine Mammal Monitoring Protocols

In addition to the recording of marine mammal incidents (e.g. entanglements, injury, vessel strikes, or dead marine mammals refer **Section 4.1** and **Section 4.2**). The following marine mammal monitoring will be undertaken:

For all sites:

- Sightings of large whales and orca (both on-farm and during transit) shall be recorded when possible or practical subject to Health and Safety requirements and company policies.

For all sites except Queen Charlotte Sound⁶:

- Sightings of dolphins (on-farm) shall also be recorded when possible or practical subject to Health and Safety requirements and company policies.

⁵ Fisheries New Zealand, 2021. Best practices and technologies available to minimise and mitigate the interactions between finfish open ocean aquaculture and marine mammals. New Zealand Aquatic Environment and Biodiversity Report No. 273. Available online at: <https://www.mpi.govt.nz/dmsdocument/48007/direct>.

⁶ Dolphin sightings in QCS are not considered to be necessary given their well-documented residence here.



All marine mammal sightings data will be collected using the 'Marine Mammal Reporting Form' (**Appendix D**).

The collection of this sighting data will commence when construction begins and will continue (on an ongoing basis) once operations are underway. This data will facilitate a better understanding of how dolphins specifically utilise the proposed farm sites.

Data management

A standardised datasheet (the 'Marine Mammal Reporting Form', **Appendix D**) will be used to record all marine mammal sightings, incidents and interactions. All completed datasheets and associated photos/videos will be securely stored in an electronic format such that they can be compiled efficiently in the event that MDC or DOC requests to view this information (see **Section 8.0**).

Hapuku Rock Baseline Monitoring

In addition, and because Admiralty Bay is recognised as an important seasonal foraging site for dusky dolphins and common dolphins, pre-construction (baseline) monitoring is required for this farm site (refer **Appendix E**).

7.0 Staff Training Protocols

Training will be provided to all relevant employees and contractors during staff inductions, at monthly staff meetings, and weekly team toolbox talks as required. Training will be tailored to ensure all persons undertaking work associated with the marine farms are provided with an appropriate understanding of the requirements of this MMMP as they relate to their role.

Each Farm Manager will be responsible for ensuring MMMP training occurs and that appropriate training records are maintained and conveyed to the Operations Manager. The minimum training requirements for different staff are outlined in the subsections below.

7.1.1 All Staff

At a minimum, all farm and vessel staff will receive basic training in the following MMMP topics:

- The requirement for compliance with 1) this MMMP; 2) the Marine Mammals Protection Act 1978; 3) the Marine Mammals Protection Regulations 1992; 4) consent conditions; and 5) general best practice (including the A+ New Zealand Sustainable Aquaculture Framework);
- Basic protocols to avoid attraction, entanglement (including the importance of scheduled maintenance inspections and that any structural damage identified must be rectified as soon as reasonably practicable), vessel strike (including awareness of the 'Simple Rules for Boaties when Interacting with Whales and Dolphins'); and marine debris effects (including awareness of the Waste Management Protocol);
- Basic protocols for live marine mammal response, including 1) that safety of staff must come first; 2) that DOC advice must be sought immediately, and 3) that mandatory reporting requirements must be met;
- Basic protocol for dead marine mammal response, including 1) notify DOC immediately, 2) marine mammals can carry diseases and PPE must be used if DOC requests that marine mammals be handled, and 3) that mandatory reporting requirements must be met;
- Awareness of the requirement to reduce underwater noise during farm operations;



- Awareness of the Marine Mammal Monitoring Protocol and the specific requirement that any staff member who sees a large whale or orca either at the farm site or in transit is required to complete a Marine Mammal Reporting Form (**Appendix D**) and email a copy of the form to [email: add]; and
- Basic marine mammal identification for those species of relevance to the Marlborough Sounds.

7.1.2 Vessel Skippers

In addition to the basic training provided to all staff, vessel skippers will receive further training on the following topics:

- Specific requirements of the Marine Mammal Protection Regulations 1992;
- Specific Requirements of the Protocol for Safe Vessel Operation;
- The requirement for all dedicated marine farm vessels to display a laminated version of Appendix C (DOC rules for vessel operations around whales and dolphins); and
- The requirements of the Underwater Noise Management Protocol.

7.1.3 Management Staff

In addition to the basic training provided to all staff, management staff will be responsible for:

- Overseeing the administrative systems to support MMMP implementation (see **Table 1**);
- Compiling completed Marine Mammal Reporting Forms and associated photos;
- Ensuring appropriate training is provided and training records are maintained.

8.0 Recording and Reporting Protocols

Consent conditions require that any information recorded in accordance with the requirements in the MMMP shall be made available to MDC and DOC within 15 working days of an information request. On this basis the following marine mammal information should be compiled on an ongoing basis through the life of the consent:

- A record of all marine mammal incidents (entanglements, vessel strikes, injuries or deaths), including a detailed description of any actions taken in response to such incidents (refer **Section 4.1** and **Section 4.2**). Noting that completion of a Marine Mammal Reporting Form (**Appendix D**) is required for each incident, and that all incidents must be reported to DOC as soon as practicable. Completed forms must be retained and stored electronically for the duration of the consent;
- A summary of Marine Mammal Monitoring results (refer **Section 6.0**). Noting that completion of a Marine Mammal Reporting Form (**Appendix D**) is required for each large whale or orca sighting both on-farm and during transit when possible or practical. Completed forms must be retained and stored electronically for the duration of the consent; and
- Records of the training given to farm and vessel staff relating to the requirements of this MMMP (refer **Section 7.0**).



9.0 MMMP Review Protocols

This MMMP shall be reviewed according to the timeframes specified below:

- The MMMP will be reviewed every five years and updated to ensure best practice management; and
- A comprehensive review of the MMMP shall be completed within 30 working days of any incident (entanglement, vessel strike, injury or death of a marine mammal), incorporating any recommendations to prevent incident recurrence.

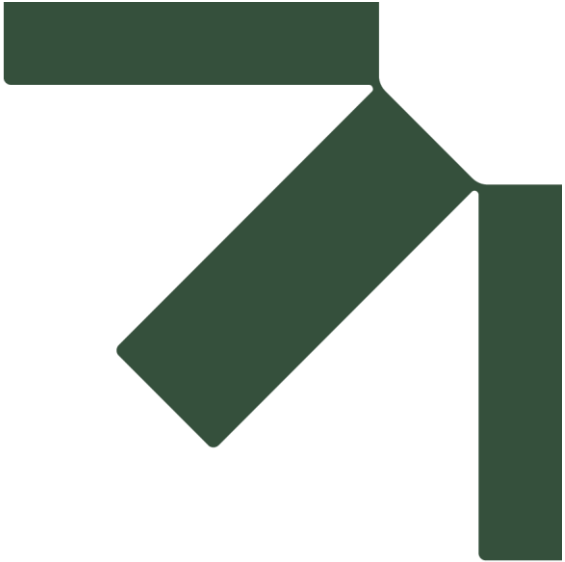
MMMP reviews shall be undertaken by an Independent Suitably Qualified and Experienced Expert(s), being someone with a relevant tertiary qualification and at least five years' experience in marine mammal research or consulting. Following each review, the Independent Suitably Qualified and Experienced Expert(s) shall produce a report which summarises their outcomes, and the changes they recommend (if any) to the MMMP.

During each review period, it shall be the responsibility of the reviewer to:

- Ensure that any relevant findings from ongoing national or international research efforts into minimising the effects of aquaculture on marine mammals are adopted as appropriate, and that the merits of any relevant technological improvements are also assessed and incorporated into the MMMP as appropriate.
- Consider the collated monitoring data (refer **Section 6.0**) to inform appropriate changes to farming practices, record keeping, or any other management actions that would contribute to minimising the potential for adverse effects on marine mammals from farm/vessel operations.

Where a review of the MMMP is triggered by an incident, consultation with DOC and iwi shall occur during the review process. To facilitate this, the draft MMMP review report will be provided to DOC Picton Office and iwi for feedback before the report is finalised and any recommended revisions to the MMMP are incorporated. This consultation shall occur prior to the revised MMMP being submitted to the MDC for its approval in a technical certification capacity; noting that if no comments are received from DOC or iwi within 20 working days, the MMMP is to be provided to the MDC for certification.





Appendix A Marine Mammals of the Marlborough Sounds

Marine Mammal Management Plan

Marlborough Aquaculture Fast-track Application

SLR Project No.: 840.030190.00001

2 October 2026

Marine Mammal Identification Resources (DOC)

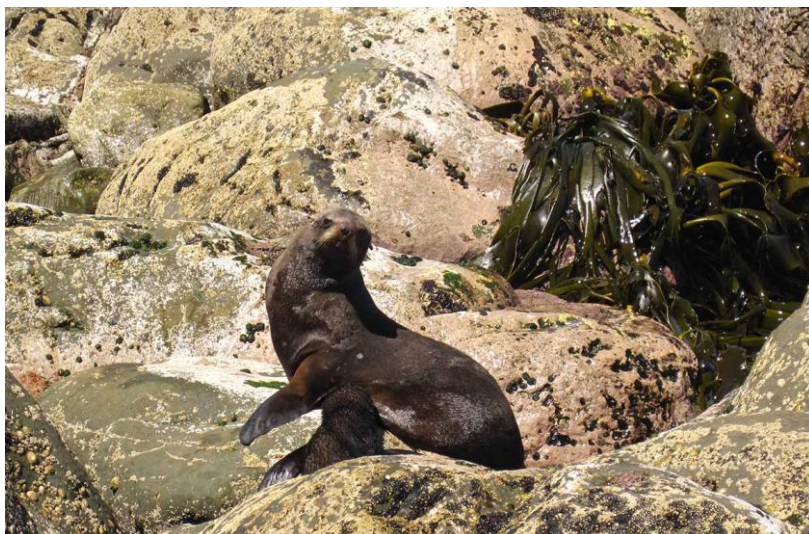
- Marine mammals of New Zealand poster
<https://www.doc.govt.nz/globalassets/documents/conservation/native-animals/marine-mammals/marine-mammal-poster.pdf>
- DOC whale identification cards
<https://www.doc.govt.nz/Documents/conservation/native-animals/marine-mammals/whale-id-flip-cards-web.pdf>
- DOC whale identification poster
<https://www.doc.govt.nz/globalassets/documents/conservation/native-animals/marine-mammals/whale-id-posters-web.pdf>
- DOC whale and dolphin sighting report form
<https://www.doc.govt.nz/globalassets/documents/conservation/native-animals/marine-mammals/whale-dolphin-sighting-report.pdf>



The sub-headings below briefly describe the distribution of key marine mammal species as it relates to their potential presence in and around marine farms in the Marlborough Sounds. In many instances the likelihood of occurrence descriptions provided below rely largely on opportunistic observations which could potentially under-represent marine mammal presence; however, where systematically collected survey data is available (for some species in some locations) this data has been used to inform the predictions on species occurrence.

New Zealand fur seals

This species occurs widely throughout the Marlborough Sounds (and Cook Strait), with breeding colonies located on the Trio Islands, Stephen's Island, and D'Urville Island. Numerous established haul-out sites occur, including locations in the outer Sounds (e.g. Cape Jackson, and the Chetwode Islands), in the Current Basin (e.g. southern D'Urville Island, Jag Rocks, Bonne Point, Stewart Island, Clayface Point, Garden Point, and Hamilton Island), and locations in inner Pelorus Sound (e.g. Maud Island, and Ngawhakawhiti Bay) (Taylor et al., 1995). Fur seals will have a regular presence at all farm sites.



Source: Department of Conservation, [New Zealand fur seal/kekeno: New Zealand marine mammals](#)



Bottlenose dolphins

A semi-resident population of bottlenose dolphins is known from the Marlborough Sounds with an estimated abundance of 211 (% CI: 195 – 232) individuals (Merrimen et al., 2009). This species ranges widely throughout the entire sounds complex (890 km²) and has a year-round presence throughout this broad distribution (Merrimen et al., 2009). Further, their distribution probably also extends along the west coast of the South Island (see Halliday, 2013), and bottlenose dolphins are well documented using Cook Strait (Clement & Elvines, 2019; DOC, 2025). Therefore, each farm site should be considered as a very small part of a much larger home range for this population.



Source: Department of Conservation, [Bottlenose dolphin: New Zealand marine mammals](#)

Dusky dolphins

Admiralty Bay provides important seasonal foraging habitat for this species (Markowitz et al., 2004; Duprey, 2007; Markowitz et al., 2010; Davidson et al., 2011; Pearson et al., 2012); where individuals that breed in summer in deep waters off Kaikoura (c. 275 km away), and elsewhere, travel to the bay from mid-autumn to spring (Clement & Halliday, 2014). In Admiralty Bay, residency times varied slightly with season (from between 3 and 27 days in autumn, and between 2 and 18 days in spring), but general individuals only remain in the bay for a few days to a few weeks at a time (Clement & Halliday, 2014). Dolphins that visit Admiralty Bay are part of a much wider and larger population, extending at least down the east coast of the South Island. Harlin et al. (2003) estimated the New Zealand population of dusky dolphins was 15,000-17,000 individuals. Dusky dolphins also occur in mid-outer Queen Charlotte Sound during winter and spring (Cross, 2019) and are relatively common in Pelorus Sound and Cook Strait (DOC, 2025).



Source: Department of Conservation, [Dusky dolphin: New Zealand marine mammals](#)



Common dolphins

Occurring around most of the New Zealand coastline, common dolphins here comprise two genetic sub-populations: one on the west coast and one on the east coast (Barcelo et al., 2021). While total abundance is unknown it is likely to be substantial (Berkenbusch et al., 2013). Clement and Halliday (2014) provide evidence that Admiralty Bay (and the wider Marlborough Sounds) may represent important seasonal habitat, where numbers of common dolphins in the sounds have increased since 2005 (Duprey, 2007; Clement & Halliday, 2014; Piwetz et al., 2024). Common dolphins are the most frequently encountered cetacean in the wider Cook Strait region (Torres, 2012; Clement & Elvines, 2019). Within the Marlborough Sounds, frequency of occurrence is most regular in Admiralty Bay, although sightings also occur in Queen Charlotte Sound (Cross, 2019), Pelorus Sound, and elsewhere in the Sounds complex (DOC, 2025).



Source: Department of Conservation, [Common dolphin: New Zealand marine mammals](#)

Killer whales

Killer whales are commonly seen in the Marlborough Sounds year-round; however, the highest number of sightings occurs in summer (Slooten et al., 2002) with substantially fewer sightings in winter and spring (Pearson, 2009). While the majority of sightings occur in Queen Charlotte Sound and Port Underwood, sightings in nearly all parts of the Sounds have been reported (DOC, 2025). New Zealand's coastal killer whale population is small (65 – 167 individuals; Visser, 2006) and comprised of three sub-populations. Two of which, the South Island only sub-population, or the sub-population that occurs around both the North and South Islands (Visser, 2000) are of relevance to the application. Killer whales travel an average of 100 – 150 km per day (Visser, 2000). Therefore, each farm site should be considered as a very small part of a much larger home range for this population.



Source: Simon Hurry, <https://www.pexels.com/photo/orcas-in-sea-12858198/>



Hector's Dolphins

This species occurs regularly in Queen Charlotte Sound, with a widespread distribution throughout the sound in summer, autumn and spring, but a more restricted distribution to the central sound (and lower densities) in winter (Cross, 2019). While Queen Charlotte Sound is considered their core distribution, they do occasionally occur throughout other parts of the Marlborough Sounds (including Admiralty Bay and Pelorus Sound) (DOC, 2025). This is the least likely delphinid species to occur around the marine farms. Hector's dolphins in the Marlborough Sounds belong to the large East Coast South Island population for this species, with the overall distribution occurring from Farewell Spit to Nugget Point (MacKenzie & Clement, 2014).



Source: Department of Conservation, [Our work with Hector's and Māui dolphin: Our work](#)

Southern right whales

Historically this species bred around mainland New Zealand during winter breeding (Bannister, 1986; Dawbin, 1986); however, commercial whaling reduced numbers to near extinction (Gaskin, 1963). The New Zealand population is now recovering (Carroll et al., 2015) with a slow recolonisation of breeding range around the mainland (Patenaude, 2003; Carroll et al., 2014; Carroll et al., 2015). While the Marlborough Sounds are not specifically recognised as a hotspot for southern right whales (Carroll et al., 2014), they do enter the Sounds as occasional visitors (DOC, 2025); hence could infrequently occur in the vicinity of any of the farm locations.



Source: Department of Conservation, [Southern right whales/tohorā: New Zealand marine mammals](#)



Humpback whales

Cook Strait is a recognised part of primary migration corridor during the northward migration of humpback whales past New Zealand. During winter surveys in Cook Strait (2004 – 2015), 659 whales were observed (Gibbs et al., 2017). While relatively few sightings ($n = 5$) of humpback whales have been reported by DOC inside Admiralty Bay, their occasional seasonal presence here should be expected (SLR, 2025). When considering the Marlborough Sounds in its entirety, most sightings of humpback whales occur in the outer Sounds and beyond in Cook Strait, with only occasional sightings reported from locations of the inner Sounds (DOC, 2025). On this basis, this species could occur in the vicinity of any of the proposed farm locations, but frequency of such events is anticipated to be very low (particularly for locations in the inner Sounds).



Source: Department of Conservation, [Humpback whales: New Zealand marine mammals](#)

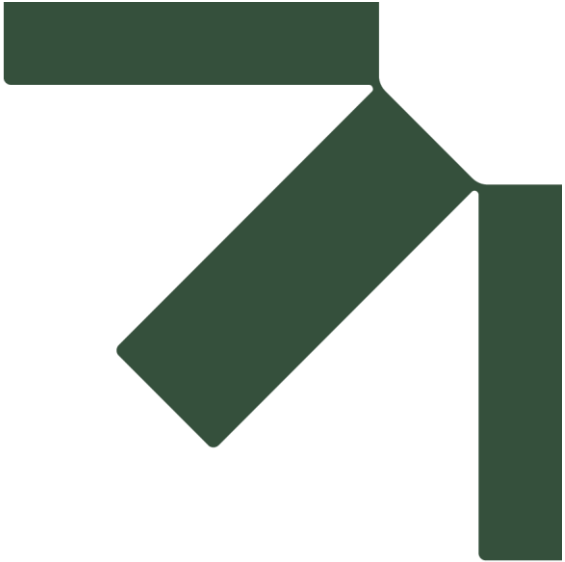
Beaked whales

Several species of beaked whale have been reported from the wider region in both the DOC strandings and sightings data, and via acoustic detection (Goetz & Hupman, 2017) (e.g. Arnoux's beaked whale, Cuvier's beaked whale, and Gray's beaked whales). Cook Strait (particularly the deep eastern reaches) are considered a hotspot for beaked whales (IUCN MMPATF, 2025). On rare occasions live beaked whale sightings have been made in Marlborough Sounds; however, these species are not routinely expected around any of the farm locations given their preference for deeper pelagic waters.

Other species

While other species (e.g. blue whales, pilot whales, minke whales, pygmy right whales, sei whales, southern right whale dolphins, and leopard seals) could occur as rare visitors from time to time, generally they remain outside of the Marlborough Sounds in deeper waters of Cook Strait.





Appendix B Relevant Consent Conditions

Marine Mammal Management Plan

Marlborough Aquaculture Fast-track Application

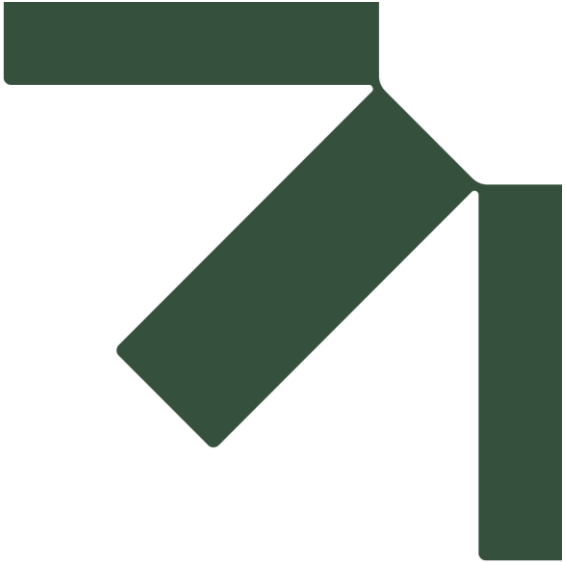
SLR Project No.: 840.030190.00001

2 October 2026

The table below outlines the consent conditions of relevance and describes how each condition is addressed by this MMMP.

Consent Conditions of Relevance	Addressed in MMMP by:
All farm structures and all parts thereof must be designed, constructed, installed and maintained in a manner which ensures that they are restrained, secure and in working order at all times. Lines must be maintained under tension or secured when not in use to minimise entanglement risk.	Refer Section 3.1 of the MMMP.
The consent holder must take whatever steps are reasonably necessary to avoid any non-biodegradable debris being lost in or from the farm, and take whatever steps are reasonably necessary to retrieve any non-biodegradable debris lost in or from the permit area.	Refer Section 3.4 of the MMMP.
The consent holder shall prepare, implement, and comply with a MMMP prepared by a suitably qualified and experienced person. This plan shall be provided to the Compliance Manager, MDC prior to the initial placement of the first structure(s) at the marine farm.	Refer all sections of the MMMP.
The purpose of the MMMP is to: a) Facilitate a better understanding of how dolphins specifically utilise the proposed farm sites and immediate surrounds; b) Minimise and manage the potential effects of entanglement; c) Minimise and manage the potential effects of vessel strike; d) Minimise and manage the potential effects of underwater noise; and e) Minimise and manage the potential effects of marine debris.	Refer Section 1.0 of the MMMP.
The plan must include the following information: a) Description of the marine mammals likely to occur in the area of the marine farm; b) Details of monitoring best practice management and procedures to meet the purpose of the MMMP in accordance with the recommendations made in the application; c) Procedures if adverse incidents or interactions occur; d) Programme for monitoring marine mammal occurrence, incidents, and interactions including record keeping and reporting procedures; and e) Details of training for operational staff.	a) Refer Appendix A of the MMMP. b) Refer Section 6.0 of the MMMP. c) Refer Section 4.0 of the MMMP. d) Refer Section 6.0 and Section 8.0 of the MMMP. e) Refer Section 7.0 of the MMMP.
An updated MMMP must be submitted by the consent holder for review at five yearly intervals, and in the event of any marine mammal entanglement within two months, to ensure the purpose of the plan is achieved and to ensure best practice management. The approved plan and any subsequent approved updates must be implemented by the consent holder.	Refer Section 9.0 of the MMMP.
Any information recorded in accordance with the requirements in the MMMP must be made available to the Compliance Manager, MDC within 15 working days of a request in writing for that information.	Refer Section 8.0 of the MMMP.





Appendix C Rules for vessel operations around whales and dolphins

Marine Mammal Management Plan

Marlborough Aquaculture Fast-track Application

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Key Messages:

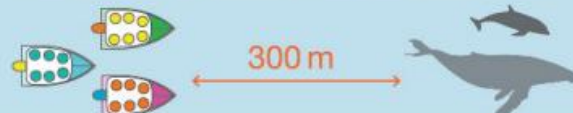
- During transit vessels to stay at least 300 m from any observed marine mammal.
- When operating in a farm, move only at idling speed if marine mammals present.

Simple rules for boaties when interacting with whales and dolphins

Don't travel faster than idle or 'no wake' speed within 300 metres



No more than 3 vessels within 300 metres



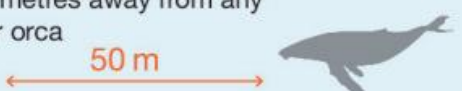
Do not obstruct their path. Approach from a parallel/slightly rear direction



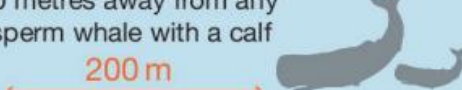
Do not swim with dolphin pods containing juveniles



Stay 50 metres away from any whale or orca



Stay 200 metres away from any baleen/sperm whale with a calf



Do not swim with whales or orca



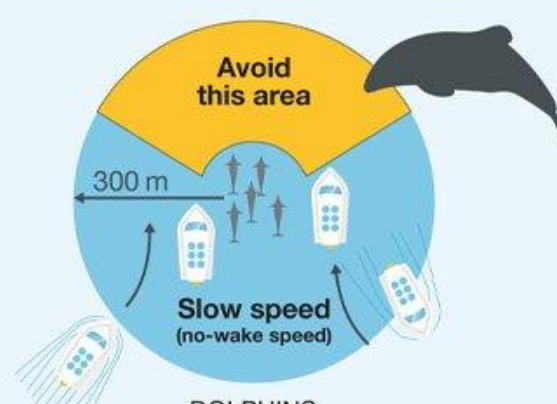
www.doc.govt.nz
New Zealand Government



Department of Conservation
Te Papa Atawhai

Visual Guidelines for Marine Mammal Interactions

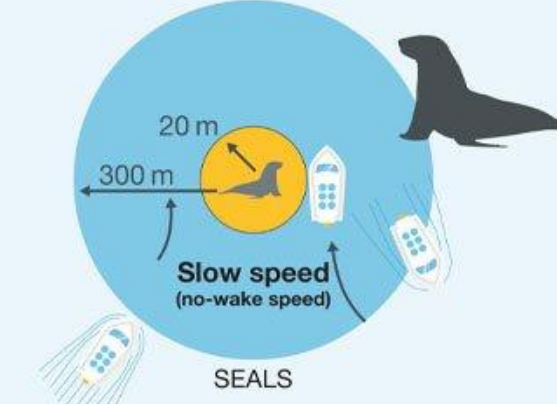
DOLPHINS



WHALES

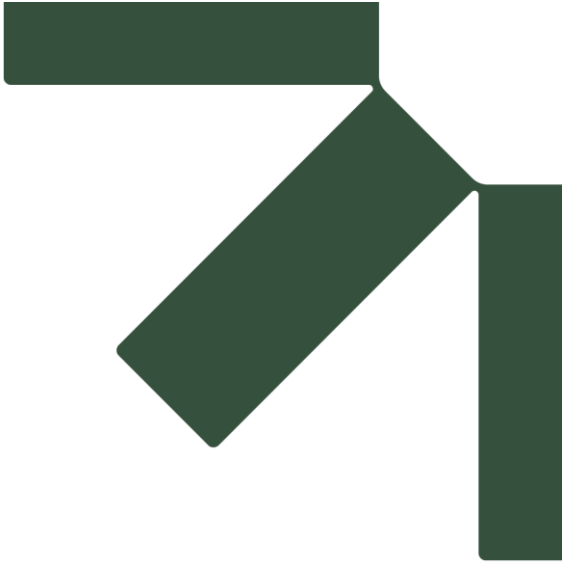


SEALS



Kayaks: 20 m from shore-based seals



Appendix D Marine Mammal Reporting Form

Marine Mammal Management Plan

Marlborough Aquaculture Fast-track Application

SLR Project No.: 840.030190.00001

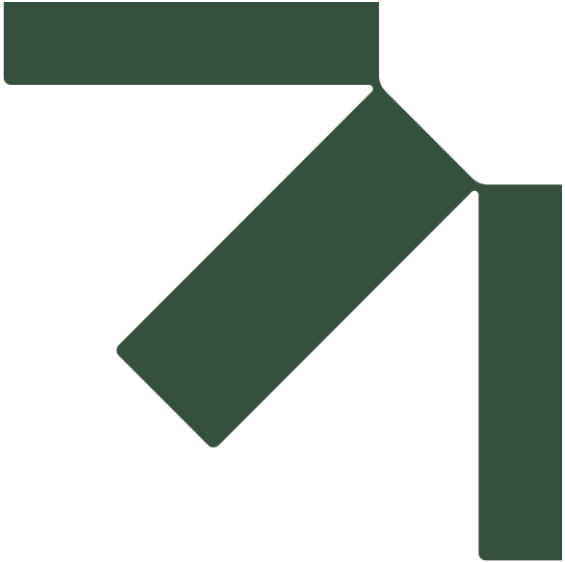
2 October 2026

MARINE MAMMAL REPORTING FORM

Use this form to record all marine mammal sightings, incidents and interactions associated with farm operations.

Report type (circle one)	Sighting Entanglement Injury Vessel-Strike Death Other					
Observer's name						
Vessel name						
Date						
Time						
Sighting Location	Farm Name:			or During Transit (circle)		
Lat/Long (or location) (if during transit)						
Operations at time						
Photos/video taken? (if safe and practicable: yes/no)						
Species ID PTO for descriptions	Common dolphin Bottlenose dolphin Dusky dolphin Hector's dolphin Southern right whale Humpback whale Killer whale Fur seal Other					
Certainty of species ID (circle one)	Definite		Probable		Unsure	
Number of animals (total)			Number of calves (if present)			
Description colour, dorsal fin, blow shape etc						
Behaviour (circle one)	Travelling Milling Feeding Socialising Resting Other					
Incident details (please describe what happened for all entanglements, vessel strikes, injuries, deaths) Including: Cause & Outcome						
Interaction details (e.g. bow-riding, whale rubbing on anchor warp etc.)						
Other notes						





Appendix E Hapuku Rock Baseline Monitoring Programme

Marine Mammal Management Plan

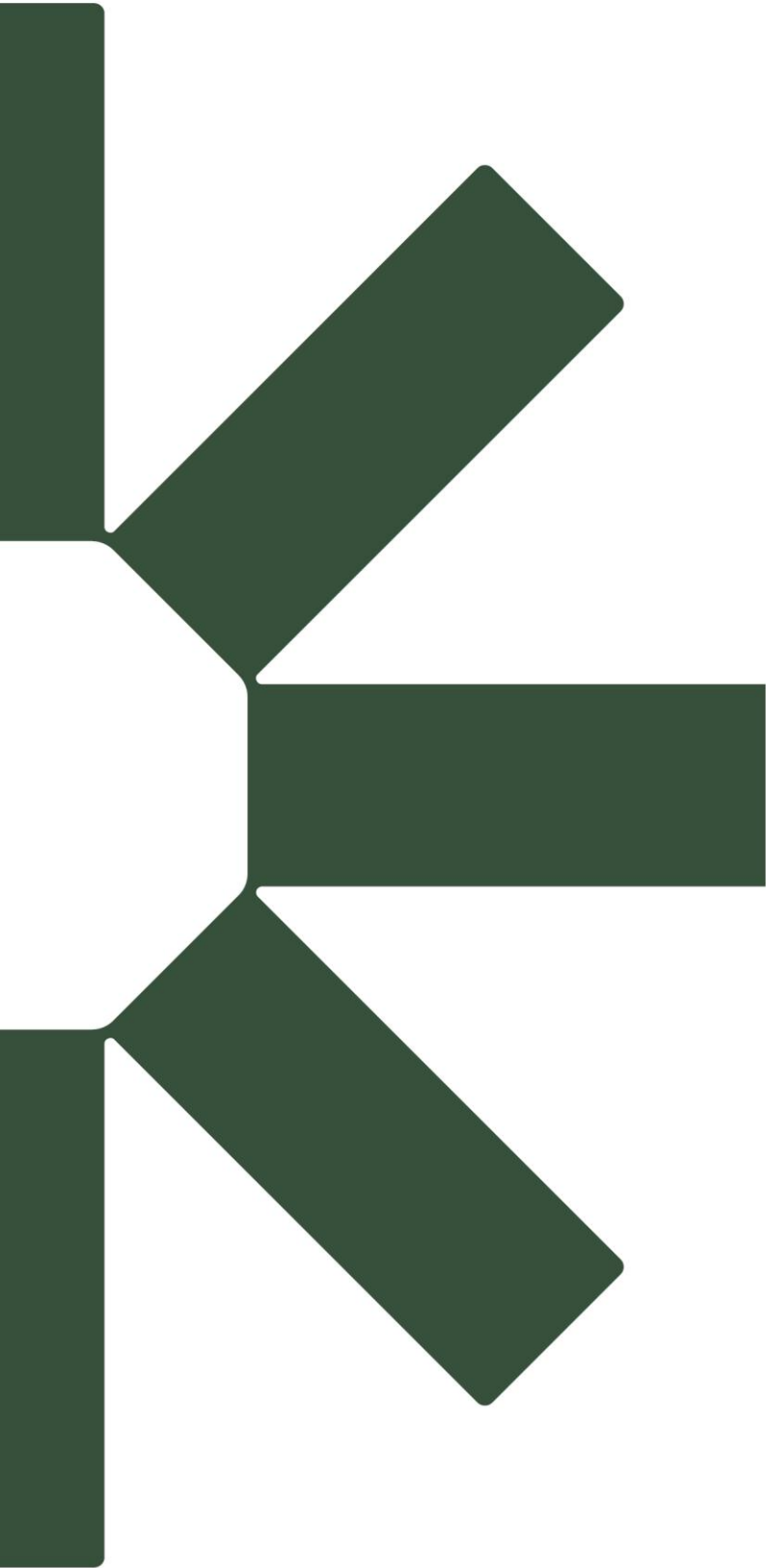
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2 October 2026

Placeholder - Details yet to be confirmed





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