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## Voluntary National Cetacean Conservation Report

Submitted by the Government of Australia  
to the Conservation Committee  
59<sup>th</sup> Annual Meeting of the International Whaling Commission  
May 2007

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**This report provides an update on information provided in Australia's  
Voluntary National Cetacean Conservation Report submitted to IWC 58 (IWC/58/CC6).**

### 1. Legal and other developments

All cetaceans (whales, dolphins and porpoises) are protected in Australian waters. Under State legislation, all cetaceans are protected in waters to 3 nautical miles. Under the *Environment Protection and Biodiversity Conservation Act 1999*:

- all Commonwealth waters (3- 200 nautical miles) are declared as part of the Australian Whale Sanctuary (AWS);
- it is an offence to kill, injure or interfere with any cetacean in the AWS.

Five whale species are currently listed as nationally threatened:

- blue whale (endangered)
- southern right whale (endangered)
- sei whale (vulnerable)
- fin whale (vulnerable)
- humpback whale (vulnerable)

Activities that may significantly impact on whale species are referred under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and undergo an environmental assessment. Key activities regularly assessed are oil and gas exploration and development, including seismic surveying, and military exercises.

Amendments to the *Environment Protection and Biodiversity Conservation Regulations 2000* were enacted in June 2006 to implement the Australian National Guidelines for Whale and Dolphin Watching.

### 2. Information on whale watching operations

Australian National Guidelines for Whale and Dolphin Watching were developed jointly by all Australian, state and territory governments and agreed to by the Natural Resource Management Ministerial Council in November 2005. These Guidelines establish a national framework for all jurisdictions for the regulation of interactions between people and cetaceans (whales and dolphins). The Commonwealth and States and the Northern Territory have implemented (or have in progress) changes to legislation to make the new guidelines legally enforceable. The Guidelines identify two levels of whale watching management approaches:

- TIER 1 (national standards) applies to all people watching whales and dolphins and outlines the general requirements for protecting animals.
- TIER 2 (additional management considerations) provides advice for areas or activities that may require alternative levels of management and will apply primarily to the commercial whale and dolphin watching industry. TIER 2 provisions may be appropriate for:
  - specially authorised whale and dolphin watching operations where scientific evidence supports different management arrangements;
  - regions with specific site characteristics (e.g. geography, sensitive species, important populations, marine parks); or
  - areas with intense whale and dolphin watching effort.

The Australian Government is considering implementing a TIER 2 whale watching management area for blue whales in the Bonney Upwelling off the Victorian coast to ensure proper management and minimisation of any impacts of whale watching. Blue whales are listed as endangered under the EPBC Act.

In the IWC58 Scientific Committee Whale Watching subcommittee, concerns were raised on the impact of wildlife boat tours on the sustainability of dolphin populations in the Monkey Mia region<sup>1</sup>. In response, the Western Australia government reduced the number of tour licenses and imposed restrictions on the operators to reduce number and time of dolphin interactions. Research in the area will continue in order to assess the effect the changes will have on the dolphin populations.

### **3. Current Government programs related to cetacean conservation**

Initiatives are being developed to address factors affecting whale conservation, including lack of knowledge concerning population, abundance and distribution of cetacean species, habitat degradation, and climatic change.

#### *3.1 State/Territory Cooperation*

State and Territory Governments are responsible for conservation and protection of whales in coastal waters (out to 3 nm limit). This includes responding to strandings and entanglements in marine debris and the management of human/whale interactions.

The Australian Government, through the Department of the Environment and Water Resources, works closely with the State and Territory Governments on various national initiatives relating to whales (see below).

#### *3.2 National Initiatives*

The Australian Government is engaged in a number of national initiatives aimed at improving coordination amongst governments, researchers and conservation groups to provide improved protection for whales. Current initiatives include:

- A new Australian Centre for Applied Marine Mammal Science (ACAMMS) which was launched in September 2006. In conjunction with ACAMMS, the Australian Government is funding a number of cetacean research projects this financial year worth over \$400,000 in total.
- The Australian Government is developing of an interactive webpage on cetaceans aimed at school children. The website will contain educational material for teachers to develop school units on cetacean conservation as well as games for children to play. The website was launched at the end of April 2007.
- A number of initiatives are being undertaken by the Australian Government for the United National Environment Program (UNEP) Year of the Dolphin including further development the National Whale and Dolphin Sightings and Strandings database which will provide up to date information on the distribution of dolphins in Australian waters and the development of a 'Year of the Dolphin toolkit' for teachers.
- The Australian Government has developed a suite of integrated whale and dolphin educational material including fact sheets, posters, cards, wrist bands, information packs and updates to the web site ([saveourwhales.gov.au](http://saveourwhales.gov.au)).
- Profiles on 40 cetacean species found in Australian waters were prepared for the Government's Species Profiles and Threats Database in August 2006. The profiles will soon be available on the public database: <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>

#### *3.3 Research Projects*

The Australian 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 throughout Australia are also conducting and funding cetacean research.

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<sup>1</sup> Lars Bejder et al., Interpreting short-term behavioural responses to disturbance within a longitudinal perspective, *Animal Behaviour*, (2006)  
Lars Bejder et al., Decline in Relative Abundance of Bottlenose Dolphins Exposed to Long-Term Disturbance, *Conservation Biology* (2006)

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

Whale species	Research project title
Blue	<ul style="list-style-type: none"> <li>Novel genetic markers for stock identification of blue whales and genetic differentiation between the two main Australian feeding aggregations.</li> <li>An ecological approach to determining blue whale abundance, critical habitat and seismic impacts in the Bonney Upwelling.</li> </ul>
Humpback	<ul style="list-style-type: none"> <li>Abundance estimates of the east Australian humpback whale population.</li> </ul>
Southern right	<ul style="list-style-type: none"> <li>Genetic stock identification of southern right whales off the south coast of Australia: phase 2.</li> <li>Population dynamics of southern right whales off southern Australia.</li> </ul>
Inshore dolphins	<ul style="list-style-type: none"> <li>Using bottlenose dolphin teeth to investigate the relationships of age, reproductive status and toxic contaminant levels in South Australia.</li> <li>Investigation of <i>Orcaella</i> spp in north-western Australia by DNA samples to clarify which species is present between <i>O. brevirostris</i> and <i>O. heinsohni</i>.</li> </ul>
General	<ul style="list-style-type: none"> <li>Monitoring medium and large-scale movements of baleen whales using satellite telemetry.</li> <li>Population genetic structure of long-finned pilot whales in Tasmania and social dynamics of mass strandings.</li> <li>Investigative development of minimally invasive means to gather demographic information in cetaceans.</li> <li>Using remote acoustic monitoring to assess seasonality, relative abundance, and movement patterns of baleen whales between the Australian and Antarctic continents.</li> </ul>

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

##### 4.1 Marine Noise and Seismic Surveys

There is concern that the use of underwater sound devices may cause distress in cetaceans and have an impact on cetacean populations and behaviour. The *Guidelines on the Application of the Environment Protection and Biodiversity Conservation Act to Interactions between Offshore Seismic Operations and Larger Cetaceans* is currently being reviewed to ensure that seismic survey operations conducted in Australia employ the best and most effective mitigation and monitoring techniques to avoid significant impacts on whales.

##### 4.2 Entanglements

Cetaceans are found entangled in fishing gear, shark control nets or marine debris. Best practice training for Government staff involved in disentanglement operations is conducted annually around the country, with updates on equipment and drawing upon case histories provided by an extended network involved in disentanglement events.

The annual Australian Government National Large Whale Disentanglement Workshop was held this year in Hobart, Tasmania on 19-20 April. Participants included representatives from the United States and the South Pacific region as well as from all Australian State governments. This is the fifth workshop of its kind hosted by the Australia Government designed to promote the use of best practice methods for disentangling large whales and aims to have highly trained personnel around the country ready to respond to entanglement incidents.

##### 4.3 Sightings and strandings databases

The National Sightings and Strandings database is being enhanced in early 2007 with ACAMMS appointing a person specifically to work on improving the current format, updating the existing data and then incorporating stakeholder views on database inputs and outputs. ACAMMS will have the scientific and technical expertise to further develop the database into a valuable tool for analysis and environmental planning. Under ACAMMS there may also be the capacity to expand the database to include other marine mammals and to capture information on entanglements and other fisheries interactions.

## **5. Reporting systems for cetacean injuries/mortality/strandings**

### *Fisheries by-catch reporting*

Improved mechanisms for fishermen to report by-catch or other interactions with whales, dolphins and other protected species (eg turtles and dugong) have been developed in conjunction with amendments under the EPBC Act.

### *Incident reporting - Coastwatch*

Coastwatch provides civil maritime surveillance and coordinates maritime response services for a range of Australian Government agencies. Coastwatch also plays a role in supporting Australia's Oceans Policy, by identifying and responding to illegal fishing in Australian waters, detecting and reporting environmental incidents such as marine pollution, and contributing to marine species protection through reporting sightings of marine mammals.

### *Incident reporting – State/Commonwealth cooperation*

Cetacean injuries, strandings and mortality are generally reported to local and State government agencies as most incidents are observed in coastal waters. As noted in 3.1, State jurisdiction applies to waters up to 3nm from shore. A close, cooperative working relationship exists between the State and Commonwealth government agencies responsible for cetacean conservation and therefore incident response and outcomes is monitored at a number of levels.

## **6. International cooperation activities**

The Australian Government is party to a number of multi-lateral agreements related to whales. These include:

- International Whaling Commission (IWC); and
- Convention on Migratory Species (CMS)

The CMS “*Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region*” was signed by the Australian Government in September 2006. There are currently eleven signatories to this agreement and many others have expressed an interest in signing or obtaining information related to the agreement initiatives.

Capacity-building workshops held in Auckland in September/October 2006 were supported financially and by participation of Australian Government and State agency staff. The workshops looked at rescue techniques for whale strandings and entanglements for participants from South Pacific Island countries.