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## Voluntary National Cetacean Conservation Report

### Submitted to the Conservation Committee by the Government of Australia

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**This report provides an update on cetacean conservation actions undertaken by Australia since IWC62.**

#### **1. Legal developments**

All cetaceans are protected in Australian waters under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) or under state legislation.

The first ten-year review of the EPBC Act is underway. A number of amendments to the cetacean provisions of the Act have been proposed and are being considered by the review Committee. Any formalised amendments will be reported at the next Conservation Committee meeting in 2012.

#### **2. Information on whalewatching operations**

The *Australian National Guidelines for Whale and Dolphin Watching 2005*, which form the basis for Australia's whalewatching regulations, were developed by the Federal Government and all Australian states and territories which have jurisdiction for the conservation and protection of whales and dolphins in coastal waters outside of the Australian Whale Sanctuary (up to 3 nautical miles from the coast).

The Australian Government is currently reviewing how whalewatching is managed in Federal waters. The government continues to consult with the national whalewatching industry, relevant state and territory environment agencies to identify areas of concern. These issues will be addressed through an integrated response strategy based on education and compliance, reviewing the national guidelines, and the use of additional management prescriptions.

This year the Australian Government, through the Australasian Environment Law Enforcement and Regulations Network (AELERT), is delivering a coordinated national cetacean compliance/enforcement operation, *Operation Cetus*, timed to coincide with the annual whale migration. One of the emphases of *Operation Cetus* is to work cooperatively with the whalewatching industry and the community to ensure that cetacean interactions are undertaken with a sound knowledge of rules and responsibilities. In effect - complementing compliance actions with a series of education and awareness measures. The operation will cover both the east and west coasts of Australia and focus on popular whalewatching 'hotspots' within both state and Federal waters from May – November.

The government will continue to review whalewatching practice and management to ensure whale and dolphin watching is carried out responsibly in Australian waters.

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

Australia's government agencies participate in a range of programs at state, national and international levels to facilitate cetacean conservation.

#### *3.1 National Initiatives*

The Australian Government recently met with relevant state and territory environment agencies to agree on key areas of shared priority for national cetacean conservation. Six areas were identified, as follows:

- National Network of Whale and Dolphin Sanctuaries – The Australian Government is working with relevant agencies to identify important cetacean habitat areas around Australia. An assessment will then be undertaken of the current protection offered to cetaceans within these areas.
- Whale Watching – as noted above, a review of whale and dolphin watching management is underway, and an integrated response strategy is being developed to address emerging issues.
- Recovery Planning – there are five cetacean species listed under EPBC Act. The current Recovery Plans for these listed cetacean species were reviewed in May 2010, and an update of the plans has commenced. The southern right whale recovery plan is the first to be revised and the new plan will adopt the format proposed for use by IWC endorsed Conservation Management Plans.
- Ship Strikes – The Australian Government has commenced the development of a national strategy aimed at mitigating against vessel-cetacean interactions. The strategy will focus on public awareness and education, and improved protocols for reporting vessel-cetacean incidents. The Australian Marine Mammal Centre (AMMC) has developed a national ship strike database and associated web-based questionnaire, based closely on the IWC data collection questionnaire. This will ensure that the data collected in Australia is compatible with the IWC ship strike database. Attempts to submit data from Australian waters directly to the IWC will be redirected back to the AMMC-based portal to ensure all reporting has national verification.
- Research Priorities – The Australian Government is developing a national cetacean research prospectus. The prospectus will identify research requirements to support the ongoing development of effective cetacean conservation policy and management, and to better understand and minimise adverse effects from industry development and other users on cetaceans. The prospectus will be aimed at federal, state and territory government agencies, industry sectors, research bodies, academic institutions, and non-government organisations. The Government is working with stakeholders to identify key management research questions for inclusion in the prospectus.
- National guidance on strandings, disentanglements and euthanasia – The Australian Government is developing national guidance on strandings, disentanglements and euthanasia to ensure ongoing best practice responses to such incidents. The guidance will complement existing local and regional tools for managers and the public.

The Australian Government continues to regularly hold consultation forums to ensure policies are based on operational understanding and practicality. These forums include:

- National Whale Watching Industry Roundtable – an annual forum established to encourage discussion on the management of whalewatching in Australian waters and the options for encouraging responsible and sustainable whalewatching.
- Government Cetacean Management Workshop – an annual forum attended by all relevant states and territories (and New Zealand) which allows for the timely identification of cross-jurisdictional issues, the sharing of management experience, and review and comment on emerging policy issues (both domestically and internationally). This is supported every two years by a targeted ‘Operational Workshop’.
- Non-Government Organisation (NGO) Roundtables - the government holds roundtable forums on cetaceans with NGOs several times a year. This helps to ensure that issues of concern to civil society, with respect to cetacean management at both national and international levels, are identified, discussed and as appropriate, addressed by the Government.

### *3.2 Research Projects*

The Australian Marine Mammal Centre (AMMC) provides scientific research and advice to inform and support Australia’s marine mammal conservation priorities. In 2010/11, the AMMC funded research on humpback whales, blue whales, southern right whales, and sperm whales, with a focus on population estimates and distribution. Over the past three years the Marine Mammal Grants Scheme has administered over \$1.8 million in grants to support over 35 whale research projects, and \$2.3 million for 36 other marine mammal research projects.

The AMMC is also leading Australia's scientific commitment to the Southern Ocean Research Partnership. The Southern Ocean Research Partnership met twice in 2010/11: at the Scientific Committee of the International Whaling Commission in Morocco in June 2010 and in Paris, hosted by the French Government, in April 2011. These meetings have led to the development of six multi-national research programs on whales in the Southern Ocean that address key research needs of the International Whaling Commission. Australia is actively involved in supporting all these projects.

Other regional initiatives include the Australian Government’s Indo-Pacific Cetacean Research and Conservation Fund (IPF). The Fund invests in research and conservation challenges of interest to the Australian Government, developing countries in the Indo-Pacific Region and the cetacean research and conservation community more generally. Four grants were made in 2010/11 for research in Papua New Guinea, Bangladesh, Pakistan and Fiji.

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

### *4.1 Marine Noise and Seismic Surveys*

The Australian Government has developed a set of requirements for minimising the impacts of seismic activities undertaken for oil and gas exploration. Under the EPBC Act, policy statement 2.1 “Interaction between Offshore Seismic Exploration and Whales” September 2008 provides practical standards to minimise the risk of acoustic injury to whales in the vicinity of seismic survey operations, and provides guidance on the legal responsibilities of proponents undertaking the activities.

(<http://www.environment.gov.au/epbc/publications/seismic.html>).

## 4.2 Strandings

In the austral summer of 2010/11, most strandings along Australia's coast involved single stranded animals, mostly small cetaceans, and these were most commonly bottlenose dolphins (various species).

There were a number of humpback whales (different age classes) coming ashore in poor condition all around Australia. In the 2010 migration season a total of 16 individuals were reported from the western coast of Australia, 17 from the eastern coast and two from the southern coast of Australia.

Australia has an excellent response capacity to assist individuals and groups of whales in distress, in cases where assistance is physically and logistically possible. This year (2011) will see national guidance for responding to adverse cetacean incidents, such as strandings, developed. See Section 3.1 for more information.

The Australian government agencies at all levels have worked together over many years to establish strong communications and operations networks to manage and respond to events such as whale and dolphin strandings. As part of this communication network, the Department of Defence verify if any Navy activities have taken place in the vicinity of any stranding event. No correlation has been found between naval or seismic activities and any of the recent strandings in Australian waters.

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

Australia utilises a number of reporting systems to identify events resulting in cetacean injuries or mortality. Some of the reporting systems are established under EPBC Act legislative requirements e.g. fisheries by-catch reporting. There is also surveillance provided by Coastwatch – a coordinating maritime response service – for a range of Australian Government agencies. Their duties include identifying and responding to illegal fishing in Australian waters, detecting and reporting environmental incidents such as marine pollution and unusual marine mammal mortality events for many remote areas of Commonwealth water.

### 5.1 Incident reporting – State/Federal cooperation

Cetacean injuries, strandings and mortality are generally reported to local and state government agencies as most incidents are observed in coastal waters (up to 3nm from shore).

A close, cooperative working relationship exists between the state, territory and federal government agencies responsible for cetacean conservation and incident prevention, response and outcomes are managed at a number of levels.

## 6 International cooperation activities

The Australian Government is party to a number of multilateral agreements related to whales, in addition to our engagement in the IWC. These include the *Convention on International Trade in Endangered Species (CITES)*, and the *Convention on Migratory Species (CMS)*.

In November 2011, Australia will participate as a 'Premier Sponsor' in the 2<sup>nd</sup> International Marine Mammal Protected Areas conference, to be held in Fort du France, Martinique. Australia will promote Marine Protected Areas as regions in which environmentally sustainable and economically viable whale watching can occur.