



If the person completing this form is representing a small business (i.e. a business having less than 20 employees), please provide an estimate of the time taken to complete this form.

Please include:

- the time taken spent reading the instructions, working on the questions and obtaining the information; and
- the time spent by all employees in collecting and providing this information.

Hours

Minutes

Supplementary Form A — Whales and Dolphins (cetaceans)

Application under section 238 of the Environment Protection and Biodiversity Conservation Act 1999.

This form has two purposes:

1. To apply for a permit to undertake an action which will contribute significantly to the conservation of whales and dolphins such as research on whales and dolphins.
2. To apply for a permit to interfere with whales and dolphins, where that interference is incidental to and not the purpose of the action, for example, building an underwater structure where you may come into contact with whales or dolphins.

Please supply the information requested in this form if you will interfere with, injure, take, keep, move, possess or treat (cut up/divide) a cetacean or part of a cetacean in the Australian Whale Sanctuary or waters beyond the Australian Whale Sanctuary (overseas).

This form should be completed in conjunction with The General Permit Application form.

If you need more space

If there is insufficient space on this form to fully address any of the questions please attach additional pages and list these attachments at question 16.

When using additional documentation to answer individual questions in this application, please refer to the document title, the specific section(s) and the page number(s) on which the information appears.

Application fee

There is a \$25 fee for permits where the action will contribute significantly to the conservation of cetaceans. There are some fee exemptions in certain circumstances, details of which can be obtained from the Department at the below address.

Where to send the forms and the application fee

Please send the completed General Permit Application and this form and any accompanying attachments to:

Director
Migratory Species Section
Department of the Environment and Energy
GPO Box 787
CANBERRA ACT 2601

If you wish to carry out activities within the Great Barrier Reef Marine Park, you may need to apply to the Great Barrier Reef Marine Park Authority for a permit. For information please follow this link: [Great Barrier Reef Marine Park Authority permits](#)

If your activity will be undertaken in an Australian Marine Park then you may need to apply to the Director of National Parks for an authorisation. For more information please follow the link below:

<https://onlineservices.environment.gov.au/parks/australian-marine-parks>

If you are proposing to send specimens out of Australia you will need an export permit. Import permits will be necessary for bringing parts or products of cetaceans into Australia. For more information on imports and <http://www.environment.gov.au/biodiversity/wildlife-trade/permits#need>



1 Details of species that will be affected by the action. Use the following codes to enter details in columns 3 and 5.

| Column 1 Common name of species. Common and scientific names are available at the Departmental website: http://www.environment.gov.au/erin/applications/biodiversity/sprat/ | Column 2 Scientific name of species | Column 3 Conservation status of threatened species under EPBC Act (e.g. the blue whale is endangered EN) Codes for Column 3 EW Extinct in the wild EX Extinct CE Critically endangered EN Endangered VU Vulnerable CD Conservation dependent | Column 4 Estimated number that will be affected. | Column 5 Type of effect Codes for Column 5 IC Interfering with a cetacean IN Injuring TA Taking KE Keeping MO Moving TC Treating PO Possessing |
|---|---|--|--|---|
| Humpback whale | Megaptera novaeangliae | VU | 200 | IC |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

2 Provide the latitude and longitude of where the action will be conducted. Latitude and longitude references should be used instead of AMG and/or digital coordinates.

Where the project area is less than 1 square km, provide a single pair of latitude and longitude references.

Where the project area is greater than 1 square km or any dimension is greater than 1 km, attach a list of coordinates to enable accurate identification of the location of the project area.

Latitude

Longitude

Degrees Minutes Seconds

Degrees Minutes Seconds

| | | |
|-----|----|----|
| -35 | 05 | 36 |
| -34 | 59 | 32 |
| -35 | 02 | 58 |
| -35 | 08 | 06 |

| | | |
|-----|----|----|
| 150 | 48 | 22 |
| 150 | 44 | 57 |
| 150 | 40 | 43 |
| 150 | 45 | 52 |

Locality name or description

Jervis Bay, NSW

3 Attach an A4 sized map to show the boundaries of the area in which the action will be conducted.



4 Provide an attachment describing the action addressing the following points.



- A. The equipment and methods used to comply with the EPBC Act Regulations.
- B. What steps will be taken to minimise impacts on cetaceans.
- C. The objectives and purposes of the action.



- 5 Attach a description of any research relevant to the affected species or community that will be carried out in the course of or in conjunction with the proposed action, including:
- A. A copy of the research proposal.
 - B. The names of the researchers and institutions involved in or supporting the research.
 - C. Relationship of the researchers to the permit applicant, including any funding being provided by, or to, the permit applicant
- 6 Will the action involve invasive techniques?
- No ⇒ *Go to next question*
- Yes ⇒ Attach application and approval from an Animal Ethics Committee.
- 7 Are you applying on the basis that the action will contribute significantly to conservation of cetaceans? (Please note, a fee of \$25 is required for this type of permit — see Question 21)
- No ⇒ *Go to 9*
- Yes ⇒ *Go to next question*

8 Why do you believe that the action will contribute significantly to the conservation of cetaceans?

The outcomes of the proposed research will increase understand of the significance of Jervis Bay for humpback whales, specifically mothers and calves, during the southern migration. With the increasing population size of humpback whales there has been a substantial increase in the numbers of female calf groups observed in Jervis Bay where sightings were previously infrequent. This may indicate that Jervis Bay has become an important resting area for females with calves, who are migrating to the polar feeding grounds for the first time and need suitable habitat to nurse and protect their young. However, we have limited information to assess the significance of Jervis Bay in this respect and there are no ongoing observational surveys. The habitat usage patterns of mother-calf pairs entering Jervis Bay during the southern migration, including their behaviour and residency time, has yet to be investigated. Jervis Bay National Park has marine protected areas but also has significant recreational and naval activity which needs to be managed. Information about the humpback whale groups entering Jervis Bay and their behaviour and residency is needed for this purpose.

Now go to 13



9 Are you applying on the basis that the effect on cetaceans will be incidental to, and not the purpose of, the action?
You must also answer questions 10, 11 &12 to apply for this type of permit.

No ⇒ You are not able to apply for a permit using this form, please contact the Migratory Species Section at EPBC.Permits@environment.gov.au, or call (02) 6274 1111.

Yes ⇒ Why do you believe that the impact of the action will be incidental to and not the purpose of the action?

Boat surveys are required to obtain photo-ID images to investigate residency time of humpback whales in Jervis Bay. Photography will be done at a distance, minimising the disturbance to the whales.

The UAV surveys are being flown at distances previously observed to have no disturbance to whales.

These methods are required but the effect on cetaceans will be incidental when considering they are non-invasive methods and precautions will be taken to minimise any possible disturbance to a whale. In addition, these methods make up only a small portion of the overall fieldwork component. Most of this fieldwork is made up of passive land-based observations.



10 Why do you believe that the proposed action will not adversely affect the conservation status of a species of cetacean or population of that species?

Humpback whales are currently listed as vulnerable under the EPBC Act, however, the Australian east coast population is estimated to have a current population exceeding 30,000. The methods proposed should have minimal (if any) impact on individual humpback whales.

This research is being conducted to better understand the importance of Jervis Bay, as a possible resting ground for mothers and calves, to humpback whales. Thus, is of benefit to the conservation of this species.

11 Describe how the proposed action will be consistent with any recovery plans or wildlife conservation plans in force for the species of cetaceans that may be affected by the action.

Commonwealth recovery and wildlife conservation plans that are in force are available from the Department of the Environment and Energy web site:
<http://www.environment.gov.au/cgi-bin/sprat/public/publicshowallrps.pl>

State and territory recovery plans will be available from state and territory environmental agencies.

The recovery plan for humpback whales ceased to exist after 1/10/2015. Humpback whales are listed to be a species impacted by marine debris in the 'Threat Abatement Plan for the impacts of marine debris on the vertebrate wildlife of Australia's coasts and oceans (2018)'. However, this study will not be contributing to reducing marine debris consumed or the entanglement of marine debris on humpback whales.



12 The applicant is required to take all reasonable steps to minimise interference with cetaceans.

How will this be carried out?

- The boat will break away from the whales if they show any signs of unusual behaviour or stress
- If a whale has not fluked in 45 minutes they are very unlikely to and we will break from them
- Close approaches to individual whales will be minimised
- No whale will be exposed the UAV flying overhead for longer than 30 minutes. If any signs of stress are evident the whale(s) will be left immediately
- Once data has been collected we will leave the animal(s) to avoid any stress

13 Attach details of any proceedings against the proposed permit holder under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources.



14 Fees

The following fees apply:

- If you answered **yes** at question 7, for an action which will contribute significantly to the conservation of cetaceans - \$25 (there are fee exemptions in some circumstances).
- An incidental action relating to cetaceans - nil

15 Are you paying by credit card?

No ⇒ Attach a cheque, go to next question

Yes ⇒ Complete the following details

Card: Visa Bankcard MasterCard

Card number

Expiry date (month/year)

Card holder's name as shown on card

Amount

Cardholder's signature

16 Attachments

Indicate below which documents are attached.

- Attach a map. See question 3
- The equipment and methods used to comply with the EPBC Act Regulations. See question 4
- What steps will be taken to minimise impacts on cetaceans. See question 4
- The objectives and purposes of the action. See question 4
- Copy of research proposal. See question 5
- Names of researchers and institutions. See question 5
- Relationship of researcher to permit applicant. See question 5
- Ethics committee approval. See question 6
- Details of any proceedings against the permit holder under a Commonwealth, State or Territory law. See question 13
- Cheque for payment of fee. See question 14
- List all additional documents below

Titles of all attached documents (include the document title, the specific section(s) and the page number(s) on which the information appears)

Map of study area
 Additional Information – pages 2-6
 Ethics approval



17 Declaration

I declare that the information contained in this application is correct to the best of my knowledge.

Signature of applicant

Name of person signing

Date