



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 Agriculture, Water and the Environment
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
Pygmy blue whale	<i>Balaenoptera musculus brevicauda</i>	EN	0-50	IC
Blue whale	<i>Balaenoptera musculus</i>	EN	0-50	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

Degrees Minutes Seconds

-31.434		
-31.434		
-31.858		
-32.245		
-32.257		

Longitude

Degrees Minutes Seconds

114.097		
114.777		
114.780		
114.418		
113.828		

-32.705			113.438		
-33.148			113.113		
-34.057			113.132		
-34.379			112.191		
-36.098			113.280		
-36.705			113.627		
-36.705			114.666		
-37.793			114.666		
-37.274			113.169		
-34.366			111.053		
-33.191			112.352		
-33.191			112.352		
-31.434			114.097		
-31.434			114.097		



Australian Government
Department of Agriculture,
Water and the Environment

-31.434			114.777		
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Locality name or description

Naturaliste Plateau, eastern Diamantina and Perth Canyon.
Coordinates identify the area of operation.

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?

Now go to 13



Australian Government
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Water and the Environment

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?

The action is aimed at mapping the seafloor and capturing video and physical samples of fish and crustacea that live at abyssal and hadal depths (3000-6000+ m water depth).

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?

The overall number of blue and pygmy blue whales expected to be encountered is low and implementation of mitigation measures will reduce risks to ensure our operations will not adversely affect any species at a population level.

Vessel disturbance of whales will be mitigated by maintaining watch for animals, adhering to minimum approach distances, surveying at slow speeds, and avoiding animals whenever possible.

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 Agriculture, Water and the Environment 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 main recovery plan of relevance to the survey is the Conservation Management Plan for the Blue Whale.

Action Area A.2 of the plan requires:

“Anthropogenic noise in biologically important areas will be managed such that any blue whale continues to utilise the area without injury, and is not displaced from a foraging area” Noise from operations will be managed to reduce the potential for impacts on blue whales and ensure they are not injured or displaced as follows:


- Vessel speeds will be limited to less than 10 knots during transits less during survey activities and in low visibility conditions.
- Two observers will maintain watch for blue whales during operations
- Minimum approach distances for all cetaceans will be as per the National Whale and Dolphin Watching Guidelines, with the distance extended for blue whales to 500m in all directions around the whale.



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

How will this be carried out?

- Use two observers to search for whales
- Only start the MBES equipment if whales have not been sighted within 1km over a 30 minute period.
- Use a soft start whereby power is increased gradually over a 30 minute period.
- Use the minimum source level to achieve the result needed.
- Shutdown the multibeam equipment if whales are within 500 m of the vessel.
- Observe minimum approach distances for all cetaceans as per the National Whale and Dolphin Watching Guidelines, with the distance extended for blue whales to 500m in all directions around the whale.
- Operate MBES between 6am and 6pm during times of good visibility.
- Reduce vessel speed to as low as reasonably practical and safe from 6pm to 6am with a maximum speed of 10 knots as per recommendation in the [National Strategy for Reducing Vessel Strike on Cetaceans and other Marine Megafauna](#).
- Landers will only be deployed if whales have not been sighted within 1 km over a 30 minute period.
- Lander ascent will only be triggered if whales have not been sighted within 1 km of the surfacing site within 30 minutes.
- Vessel tenders will be deployed and at the surfacing location to monitoring the surfacing of the lander and secure it once at the surface. Crew onboard tenders will monitor the traps and further secure them if they appear come loose.
- Traps are affixed to the lander with stainless steel fixings rated far beyond the weight of the traps.

- 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)



Existing permits with Parks Australia.
Submitted permit with Parks Australia

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

Todd Bond

Date

17/02/2022