

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	-50	IC
Dwarf Minke Whale	Balaenoptera acutorostrata ssp.	NE	-50	IC
Antarctic Minke Whale	Balaenoptera bonaerensis	CD	-50	IC
Common Bottlenose Dolphin	Tursiops truncatus	DD	-300	IC
Shortbeak Common Dolphin	Delphinus delphis	CD	-150	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

28	30	00
28	30	00
29	40	00
29	40	00


Longitude


Degrees Minutes Seconds

167	00	00
168	45	00
167	00	00
168	45	00


Locality

Norfolk Island

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?

1/ Public awareness by publication of facts and figures determined by the following:

a/ Historical Data

b/ Present Data

2/ Gain knowledge of presence of cetaceans in Norfolk Island area...

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 Cetacean Policy and Recovery Section at epbcwild@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?

Now go to 13

- 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?

We believe our research will have no impact on the species whatsoever for the following reasons. At all times, we will adhere to the permit conditions re keeping the required distance from the animal.

We also believe our work carried out on Norfolk island will confirm the present status of the humpback whale (*Megaptera novaeangliae*) as VU (Vulnerable). It is of utmost importance to us that proper care and respect is given to the cetaceans at all times.

We believe it is of vital importance that the actual population of the humpback whale is known to all people who are interested in reading our research. As we know, the recovery rate of humpback whales along the West and East coast of Australia are recovering at the annual rate of 10 -11%. This is not the case at Norfolk island.

By the release of our reports to various bodies it will show that the population of humpback whales in this area of the Sth. Pacific has not recovered, even though commercial whaling ceased in 1962 (45 yrs ago).

- 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 Water Resources web site:

www.environment.gov.au/biodiversity/threatened/recovery/index.html

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

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

How will this be carried out?

After a period of 20 years of assisting researchers on various projects in Australia, it has always been my #1 priority to minimise interference with cetaceans. This can best be explained by the following rules I adhere to.

1. If a cow with calf are approached, minimum time is spent with the pod. As soon as the cow gives some sign of reaction to the vessel, we will immediately break away.
2. Approach to any pod by a vessel, speed is reduced as soon as the pod is within 300mtrs of the vessel. As soon as the direction of travel of the pod is determined, we will follow only as close as the research permit allows.
3. When any pod is approached, the vessel is always placed between the shore and the pod. The reason being, that you never want to alter the course of a pod towards the shore. This eliminates the chances of cetaceans stranding

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)

3.1 Map of Research Area depicting boundaries
 4[a] Equipment & methods
 4[b] Steps to minimise impacts on cetaceans
 4[c] Objectives and purposes
 5[a] Research proposal
 5[b] Researchers/supporting institutions
 5[c] Funding details

17 Declaration

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

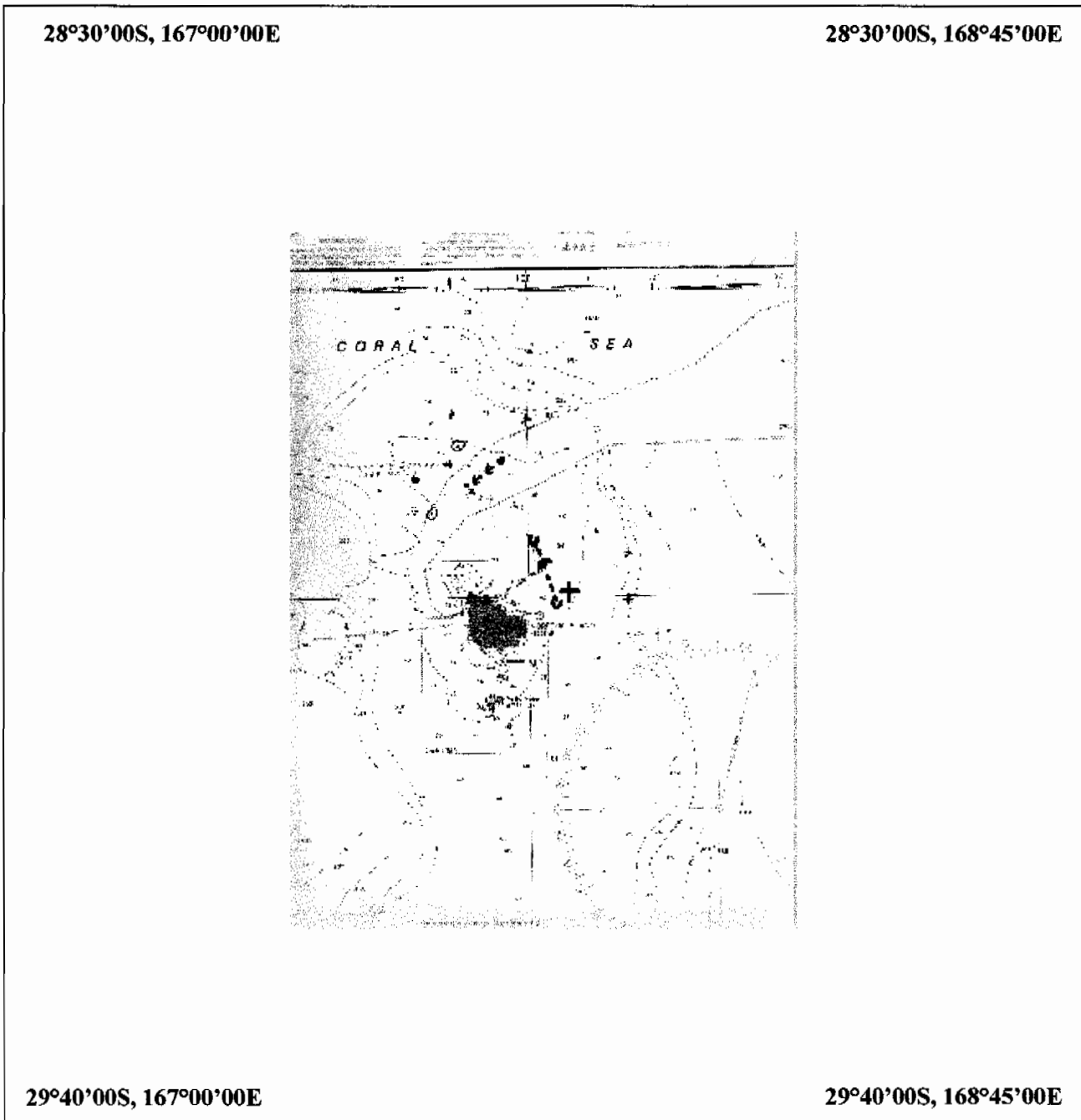
Signature of applicant

Name of person signing

Date

Attachment 3.1: Map of Proposed Survey Area
(South Pacific Ocean in vicinity of Norfolk Island)

Proposed survey area is bordered approximately by the four (4) latitude and longitude references depicted below (the survey area is not to scale)



Attachment pertaining to Supplementary Form A Question 4

4[a] Equipment & methods

Visual aids

Gerber 7 x 50 7.1 field binocular

Fujinon 7 x 50 7.0 field compass binocular (set for Southern Hemisphere specifications)

Nikon 12 x 50 5.5 field binocular

Gerber 9 x 63 binocular

Photographic

*Pentax 35mm SLR *ist DL digital camera*

Global Positioning System

Garmin GPS 72 Personal Navigator

Audio

Sony MZ-B100 Mini Disc recorder

High Tech 96-MI model hydrophone

Floating platform

Seven (7) metre stern-drive vessel

Studies shall be carried out by observers strategically stationed at one or more of several suitable elevated land-based observation points on Norfolk Island between approximately 0700 hrs and 1700 hrs. Vessel-based effort shall be limited and shall come into effect during periods that cetaceans are detected by land-based observers, and then only when suitable conditions (both atmospheric and Beaufort Scale) prevail.

4[b] Steps to minimize impacts on cetaceans

Whilst on board a floating platform activities shall at all times be conducted in an inert fashion in an effort to maintain a totally non-invasive presence. Personnel shall be conversant with Rules and guidelines regarding proximity to cetaceans and shall constantly remain mindful of these and associated regulations. Common sense is a virtue of each of the personnel and they are united in their advocacy of non-invasive research techniques.

4[c] Objectives & purposes

It is the intention of the research personnel that data obtained as a result of the planned activities will be of considerable use in terms of conservation and management of cetacea in the region as no other such work is being conducted, nor has any been conducted for decades, in that area of the South Pacific.

Attachment pertaining to Supplementary Form A - Question 5

5[a] Research proposal

Aims

Fundamentally the research intends to address selected key points including the following ~

- Identify and determine numbers of cetacean fauna, especially humpback whales (*Megaptera novaeangliae*), within the vicinity of Norfolk Island (refer attachment 3.1) as observed from land-based observation platforms and from on board a local vessel on the water.
- Carry out photo-identification studies, with the emphasis on flukes and dorsal fins of humpback whales in addition to dorsal fin profiles and individual identifying marks on other opportunistically encountered cetacean taxa.
- Compare photo-identification records as obtained above with those from other areas, especially humpback whales from the Group V Breeding Stock E1 of Australia's Pacific coast, Breeding Stock E2 of New Caledonia and E3 of Tonga.
- Collect opportunistic acoustic recordings of cetacea obtained by hydrophone dip procedure.
- Obtain slough skin sample for DNA sequencing.
- Conduct personal communications with local residents and mariners of cetacean encounters.
- Compare data with those of researchers from neighboring populations
- Correlate data from studies and comparisons and establish findings.
- Prepare, produce and distribute report; and publish paper on findings.

5[b] Researchers & supporting institutions

Researchers:

Adrian Oosterman
Merv Whicker
Peter Garbett

Supporting individuals/institutions:

David Paton
Claire Garrigue
Southern Cross University

5[c] Funding details

The intended research is entirely self-funded (by Adrian Oosterman and Merv Whicker).