

**AUSTRALIAN NATIONAL GUIDELINES
FOR
CETACEAN OBSERVATION**

&

**AREAS OF SPECIAL INTEREST
FOR
CETACEAN OBSERVATION**

February 2000

The Guidelines have been developed by the following agencies for the Australian and New Zealand Environment and Conservation Council (ANZECC).

New South Wales	National Parks and Wildlife Service
Northern Territory	Parks and Wildlife Commission
Queensland	Environmental Protection Agency (formerly Department of Environment and Heritage)
South Australia	Department of Environment, Heritage and Aboriginal Affairs
Tasmania	Department of Primary Industries, Water and Environment
Victoria	Department of Natural Resources and Environment
Western Australia	Department of Conservation and Land Management
Commonwealth	Environment Australia
Commonwealth Scientific and Industrial Research Organisation	
Great Barrier Reef Marine Park Authority	

An extensive consultation process was also undertaken with industry, non-government organisations, regulatory staff, researchers, documentary makers, fishing and dive charters operators and the general public.

Cover picture: A female humpback whale with calf passing a stationary boat, providing those on board with a closer view than would be recommended if the boat approached the whales.

Photo: D K Coughran

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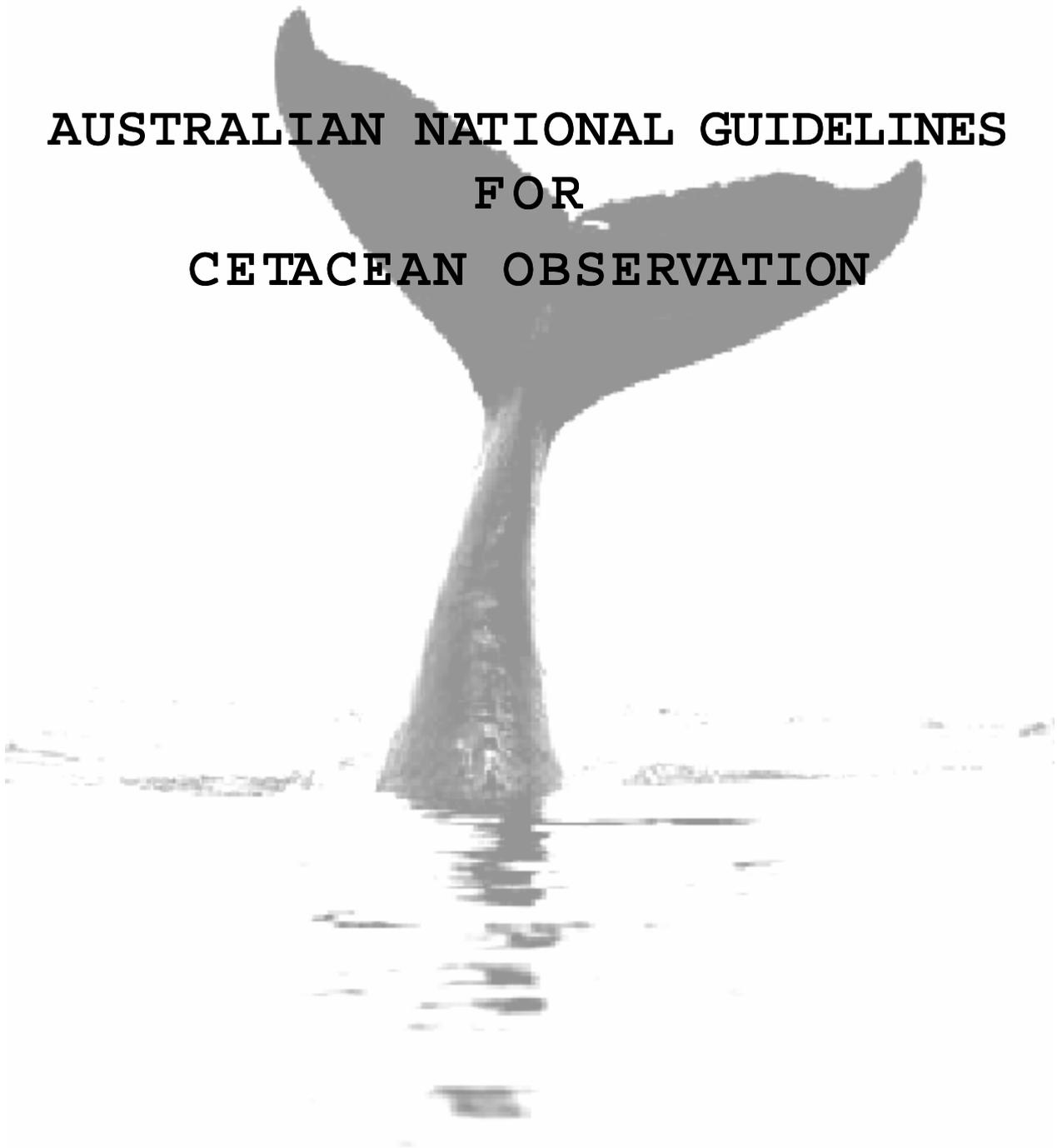
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Copies of this document are available from Environment Australia's Community Information Unit by phoning toll-free 1800 803772 during business hours. It is also available on the Internet at: <http://www.environment.gov.au/marine/species-protection/cetacean-guide.html>

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1 Introduction

1.1 Why guidelines are needed

Whale and dolphin watchers, tourism operators and wildlife managers alike are concerned to ensure that tourism activities focussing on cetaceans (whales, dolphins and porpoises) do not harm the animals involved. Clearly defined standards for all human activity around cetaceans are needed to ensure that people are aware that their actions may disturb the animals, and that they know how to minimise any effect they may have. Guidelines that minimise disturbance to cetaceans serve to protect the animals, and ensure that people can enjoy high quality whale and dolphin watching experiences.

1.2 Aims of the guidelines

The National Guidelines for Cetacean Observation cover interactions between people and cetaceans in the wild during recreational observation activities and have two main aims:

- to minimise harmful impacts on cetacean populations by ensuring that the normal patterns of daily and seasonal activity of whales and dolphins are maintained in the short and long-term; and
- to ensure people have the best opportunity to enjoy and learn about the animals through observation that is successful for people and cetaceans alike.

1.3 How to use the guidelines

The detailed information in these guidelines directs people's behaviour around cetaceans. Knowing why observing these guidelines will minimise the impacts of your presence will enable you to apply the guidelines most effectively. Keep in mind that whale and dolphin interactions should be conducted to:

- allow cetaceans to continue whatever activity they are engaged in without coming into direct contact with people or vessels unless they choose to do so; and

- allow the cetacean(s), should it/they choose to interact, to determine the nature and extent of any contact with people. The guidelines should be applied to achieve these goals.

1.4 How the guidelines apply

These guidelines are a guide to acceptable behaviour for all people encountering and seeking to interact with cetaceans. They provide national standards for human behaviour in interactions between people and cetaceans in Australian State, Territory and Commonwealth waters. They are the first tier of a two-tiered management system for State/Territory and Commonwealth jurisdictions. Jurisdictional authorities may choose to enforce conditions and controls in addition to these guidelines under the second tier of management. Any more stringent conditions imposed under State or Territory legislation will take precedence over these guidelines.

Who

The guidelines apply to everybody interacting with cetaceans – commercial operators and the general public alike.

Which species

The guidelines apply to all whales, dolphins and porpoises (all members of the Order Cetacea). This includes those predisposed to bow riding or close approaches, as the principles for allowing cetaceans to choose to interact apply equally to these species.

Where

The guidelines apply in all Australian waters.

What they cover

The guidelines cover all activities involving recreational and commercial observation of cetaceans in the wild including the use of all water craft and aircraft, noise and playback of sound, feeding, swimming and diving.

1.5 The difference between you approaching a cetacean and a cetacean approaching you

It is essential that everyone wishing to watch or interact with cetaceans understands the important distinction between you moving toward a cetacean, and a cetacean moving toward you. The guidelines refer to active approaches by people, and so stipulate how far you are allowed to move towards a cetacean. When you reach that distance, you should stand off and wait. Sometimes a cetacean will move towards you and will come much closer than you are permitted to actively approach it. This situation is not in conflict with the guidelines. You are allowing the cetacean to determine whether it wishes to interact or not, as described in Section 1.3.

When operating on the water the difference is usually obvious. If a cetacean wants to interact it will remain with the vessel or swimmer, which can drift passively with the cetacean keeping pace. If you are actively motoring or swimming to stay within a certain distance of a cetacean, this means that the animal is moving away from you and is choosing not to interact with or approach you. In this situation you are contravening the guidelines if you are closer than the specified distances.

1.6 Exceptions

Exceptions to the guidelines may occur under scientific, educational or other permit. Exceptions may also occur in stranding or entanglement situations, however in these circumstances the relevant conservation authority should be contacted at the earliest opportunity. Some activities, such as feeding by people, may only take place under the direction of an operator in specified locations.

1.7 Disturbances to cetaceans

Whales can potentially be disturbed by activity tens or even hundreds of kilometres distant. Because whale and dolphin observation activities occur at much shorter distances, the

potential for disturbing the animals is increased. To reduce possible adverse effects on the animals while allowing reasonable approaches for viewing, these guidelines establish a caution zone. The caution zone is the area within 300 metres for baleen whales and large odontocetes, or 150 metres for dolphins. If observing groups containing both whales and dolphins, the 300m caution zone applies. Within the caution zone distances have been selected to protect cetaceans from potential adverse effects of whale and dolphin watching activities, while providing for close enough approaches for viewing.

1.8 How do you know if a cetacean is disturbed?

Determining when cetaceans are disturbed can be difficult. Disturbance can show itself in behavioural and/or physiological changes and can be less obvious than expected. In general, cetaceans move more slowly than vessels and so have limited options to avoid interaction when confronted by a vessel.

The following reactions often, although not always, indicate that a cetacean is disturbed:

- attempts to leave the area or vessel (quickly or slowly)
- regular changes in direction or speed of swimming
- hasty dives
- changes in respiration patterns
- increased time spent diving compared to time spent at the surface
- changes in acoustic behaviour
- certain surface behaviours such as tail slashes, and trumpet blows

1.9 What disturbance to a cetacean may mean

Changes in behaviour like those described above may not appear to be detrimental in the short term. The long-term consequences, however, are not yet well understood, but could be significant. Additionally, the effects may be minor in isolation, but may become significant in accumulation, for example if the number of

whale watching vessels increases. The following are some of the potential problems that may be caused by disturbance:

- displacement from important feeding areas
- disruption of feeding
- disruption of nursing, mating and reproductive and other social behaviours
- abandonment of preferred breeding or calving sites
- changes to regular migratory pathways to avoid human interaction zones
- stress
- injury
- increased mortality.

2 Guidelines

2.1 Vessels

Careful vessel design and care in operation can reduce the effect boats have on cetaceans. Some of the possible impacts of vessel presence are the introduction of underwater noise, pollution, and physical injury. These factors are particularly important when the boat is used for wildlife viewing and is intentionally brought close to the animals. As the number of vessels around a pod of cetaceans increases, the possibility of disturbing the animals rises. As with all activities which may disturb cetaceans, especially those for which the full effects of disturbance are unknown, it is important to minimise the level of interference. There are some simple ways to reduce the impacts of vessel use on cetaceans.

1) Vessel types

- Vessels include all motorised, paddle and/or sail craft (eg motorboats, yachts, kayaks, canoes, surfskis, inflatable craft, hovercraft).
- Craft prohibited for whale and dolphin interactions are: personal motorised watercraft (eg jetskis and similar craft), parasails, and hovercraft.
- A person on a surfboard should not approach cetaceans within 30m for safety reasons.

2) Operation of vessels

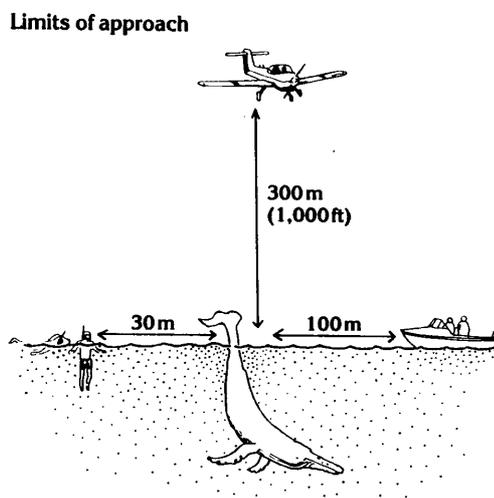
Prohibited craft

- If a person using a prohibited craft finds her/himself in the vicinity of a cetacean she/he should slow down and avoid the cetacean, giving at least 300m distance between the vessel and the cetacean.

Approach distances for permitted craft (distances may also be regulated under State legislation and may differ from those given here)

- When within the caution zone of a cetacean, move at a constant, slow ('no wake') speed.
- The caution zone is the area within 300m of a whale and 150m of a dolphin.

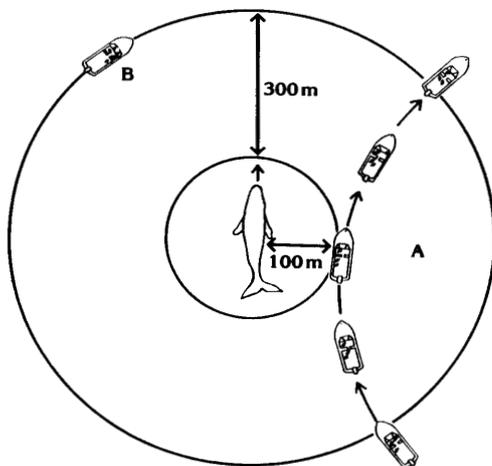
- Do not approach closer than 100m to any whale.
- Do not approach closer than 50m to any dolphin.
- Allowing a vessel to drift within the approach limits specified for cetaceans due to wind, currents or forward momentum constitutes an approach and should not occur.
- If cetaceans show disturbance activities, withdraw immediately at a constant slow 'no wake' speed to the outside of the caution zone.
- Please exercise additional caution when observing pods containing calves. It is advisable not to approach within the caution zone when observing calves or pods containing calves.
- Do not approach very young calves or pods containing very young calves (ie. foetal fold calves). Foetal fold calves can be identified by the presence of pale lines on the sides of the body. Use binoculars to determine whether foetal fold calves are present.
- Should you mistakenly approach such a pod, withdraw immediately at a constant slow 'no wake' speed to the outside of the caution zone.



How to approach cetaceans

- k. Where possible, post a dedicated lookout in addition to the skipper, when approaching within the caution zone of a cetacean.
- l. Approach cetaceans from parallel to and slightly to the rear. Do not approach from directly behind. Alternatively, position your vessel outside the caution zone ahead of and to the side of the animals' path of travel, and allow them to approach you. Do not intercept the path of travel or approach from head-on.
- m. Try to position your vessel downwind of whales to avoid engine fumes wafting over them.
- n. Avoid sudden or repeated changes in direction or speed when within the caution zone. This will decrease noise and the risk of collisions.

How to approach a whale



Caution

- When whale watching, accidents may occur, especially if the whales feel threatened or harassed. Active whales also require ample space particularly during the mating season when males competing for females may engage in rough physical contact.

While watching cetaceans

- o. When stopping to watch cetaceans, place your gear selector in neutral, and allow the motor to idle without turning off; or allow the motor to idle for a minute or two before turning off. This prevents abrupt reductions in noise which can startle the animals.

- p. Avoid excess engine use, gear changes, manoeuvring or backing up to cetaceans. These produce sudden, large changes in underwater noise levels which may startle, annoy or drive cetaceans away.
- q. Avoid the use of bow or stern lateral thrusters to maintain position. Thrusters produce intense cavitation (air bubble implosion) noise underwater.
- r. Avoid having more than three boats within the caution zone at one time to prevent crowding of the cetaceans.
- s. Do not box cetaceans in, cut off their path or prevent them from leaving. This is particularly important when more than one vessel is present. Vessels should position themselves adjacent to each other to ensure the cetaceans have large open avenues to leave the area. Be sure not to box cetaceans in against the shore. Vessel operators should coordinate their movements around cetaceans by radio contact where possible.
- t. Cetaceans should not be pursued. Do not drive into or through a group of cetaceans.

When leaving cetaceans

- u. When leaving cetaceans, move off at a slow 'no wake' speed to the outer limit of the caution zone for the closest animal before gradually increasing speed. Avoid engaging propellers within the minimum approach distance, but if necessary to do so, take extreme care.

If a cetacean approaches you

- v. Cetaceans will sometimes approach a vessel more closely than the specified approach distance of their own accord. Except in the case of dolphins or other small cetaceans which may approach the vessel to bow ride, place the engines in neutral and let the animal(s) come to you; or slow down and continue on course, avoiding potential collisions; or steer a straight course away from them.
- w. When dolphins or other small cetaceans approach a vessel to bow ride, vessels should

not change course or speed suddenly. A vessel should not be brought within the caution zone for dolphins, faster than a 'no wake' speed, in an attempt to encourage bow riding.

Other

- x. If a cetacean surfaces in the vicinity of your vessel when you are in transit for a purpose other than watching cetaceans, take all care necessary to avoid collisions. This may include stopping, slowing down, and/or steering away from the animal.
- y. Obey any additional restrictions on approach distances or other requirements for particular species or areas.

3) Design and maintenance

- a. Maintain the vessel in good condition. Noise generally increases as moving parts wear. Ensure engine mounts are in good condition to minimise transfer of noise through the hull into the water. Ensure propellers are in good condition to minimise cavitation. Keep engines in a good state of repair and tune to avoid oil and fuel leakages and to avoid producing excessive engine fumes. Cetaceans may have to breathe your fumes.
- b. Use sound-proofing and vibration isolation around the engine where possible.
- c. For heavily used cetacean watching vessels, main engines should be fitted or designed so that they can be readily shut down or idled for long periods. During long bouts of cetacean watching, some idled engines will foul and produce excessive exhaust smoke on acceleration.
- d. If commissioning a vessel for cetacean watching, it would be preferable for the vessel to incorporate the following features:
 - i) have good access for passenger viewing to minimise the need to constantly reposition vessel for viewing
 - ii) be manoeuvrable at low speeds to

minimise the need for increased revolutions to position the vessel

- iii) have low windage in relation to draught to minimise effects of wind on position.

2.2 Aircraft

Operation of aircraft around cetaceans can cause alterations to the cetaceans' normal patterns of behaviour. Avoidance behaviour, such as immediate diving, has been observed in cetaceans in response to overflights by aircraft, particularly helicopters. They may be reacting to the noise of the aircraft, its shadow, or helicopter rotorwash. An aircraft approaches relatively fast and can startle the cetacean by its sudden appearance.

1) Type

- a. Aircraft include all airborne craft (eg. fixed wing, helicopters, gliders, hang-gliders, hot air balloons, airships).
- b. Helicopters are prohibited aircraft for whale or dolphin watching.

2) Operation of allowed aircraft

- a. A person in charge of an aircraft should not:
 - i) operate lower than 1000ft (~300m) within a 300m radius of a cetacean (ie 300m on the slant). This includes circling, flying directly over and buzzing cetaceans.
 - ii) approach a cetacean from head-on.
- b. Aircraft should not land on the water for the purpose of observing cetaceans.
- c. Aircraft should cease contact with the animal or pod if disturbance is observed, for example if the cetacean immediately or repeatedly dives or begins to increase swimming speed.

3) Operation of prohibited aircraft

- a. Helicopters in transit for another purpose and in the vicinity of cetaceans should remain at least 1000m away. Helicopters should not hover over cetaceans.

2.3 Land

Observing from land causes the least disturbance to cetaceans. Many cliffs and headlands provide excellent vantage points. Whales and dolphins can be seen most easily on clear calm days – a pair of binoculars is very helpful. Be aware of the impact you may have on the terrestrial environment and remember coastal dunes and headlands can be sensitive areas.

1) General

- a. Keep to formed pathways and lookouts, remain inside guard rails, obey signs and take care close to cliff edges.
- b. Be sure not to damage vegetation and dispose of rubbish carefully.
- c. Don't throw anything into the water.
- d. Remember to respect access considerations for all land owners and managers including aboriginal land, national parks and private property.

2.4 Feeding

Like any wild animals, cetaceans are well-adapted to finding food in their natural environment. They are able to choose the type of foods that will provide them with the correct nutritional balance, and to consume the correct amount of food to keep them in good health. Feeding is a very social activity for many cetaceans and provisioning by humans interferes with hunting and other natural socialising behaviours. There are environmental, health and safety concerns associated with deliberate feeding. In most cases feeding by humans has been shown to have adverse effects, sometimes severe, on the cetaceans concerned.

1) For other than existing feeding programs authorised by the relevant wildlife authority

- a. A person should not deliberately feed or attempt to feed a wild cetacean. This includes throwing food or rubbish in the

water in the vicinity of cetaceans, and feeding from boats. Routine discard of bycatch by commercial fishers is excluded, but should be minimised in the presence of cetaceans.

2) Existing feeding programs

- a. Feeding is permitted only under programs authorised by the relevant wildlife authorities, currently at:

- i) Monkey Mia, Western Australia
- ii) Bunbury, Western Australia
- iii) Tangalooma, Queensland.

Feeding at these centres should occur under supervision and in accordance with a strict regime. Additional feeding programs should be authorised only after the relevant wildlife authority has investigated the potential impacts of a planned feeding proposal on the target cetacean population and its environment, and been satisfied that the predicted impacts are acceptable.

- b. A situation at Tin Can Bay in Queensland involving the regular human interaction with dolphins, including feeding, is being monitored by the Queensland Government. Action is being taken to regulate this activity to ensure human safety and conservation of the dolphins.
- c. Continuing studies on the effects of provisioning should accompany existing cetacean feeding programs.

2.5 Touching

Touching is not encouraged as 'friendly' whales and dolphins accustomed to these encounters may become over zealous, placing both themselves and humans at risk. Disease transmission is also possible when close contact occurs.

1) General

- a. If a cetacean comes close to you, avoid touching or sudden movements that might startle it.

2.6 Noise

Cetaceans have sensitive hearing and sound plays an important role in communication, navigation and prey location. Sound may be used to convey information about territory, status, danger, food or position. Noise that humans introduce into the underwater environment can mask important sounds or damage cetacean hearing. It is very difficult to determine how a cetacean may react to a particular sound or how severe the effects may be, so production of noise should be minimised.

1) General

- a. Avoid making loud or sudden noises near cetaceans. If a cetacean comes close to shore or your boat, remain quiet.
- b. Playback of underwater sound of any kind (biological or non-biological) should not occur. This includes playback of recorded whale or dolphin sounds or song.
- c. The use of an underwater microphone (hydrophone) suspended in the water to listen to underwater sounds of the marine environment and cetaceans in particular is strongly encouraged.
- d. See vessel and aircraft sections of these guidelines for information on how to minimise noise disruption from these sources.

2.7 Swimming and diving

When close human contact is initiated with wild animals it is important to remember that either the animal or the person, or both, may be placed at risk. In the case of cetacean swim or diving programs, the risk to humans is of injury from forceful interactions initiated by cetaceans. On rare occasions, humans have been injured by captive and wild cetaceans. The greatest risk to cetaceans may be from the misuse of vessels and the inappropriate placement of people in the water, forcing the animals to actively avoid interaction. Manoeuvring a boat to allow swimming with cetaceans can pose an elevated risk of harassment. It is in the interests of all

concerned to adopt strategies to minimise these risks. Remember, cetaceans are wild animals. (Distances may also be regulated under Tier 2 State legislation and may differ from those given here).

1) General

- a. Because of the risks of injury or harm to swimmers/divers and cetaceans, only persons operating within the requirements of specially permitted swimming operations should deliberately swim/dive in the vicinity of cetaceans. For the purpose of these guidelines 'swimming' with cetaceans includes swimming, snorkelling and diving.
- b. Establishment of new commercial swim operations or expansion of existing operations should be preceded by studies to obtain baseline data on the population prior to the operation beginning, in order to identify potential impacts and mitigation measures.
- c. Commercial swim operations should be accompanied by ongoing research to monitor cetacean responses to swimmers to help track any changes in animal behaviour that may have implications for cetaceans or people.
- d. All specially permitted swim programs should adopt the general swim guidelines below as a minimum standard (Tier 1), with additional requirements as necessary to meet local conditions (Tier 2).
- e. If in the water near a cetacean a swimmer, snorkeller or diver should not approach a cetacean closer than 30 metres.
- f. Do not swim with whale calves of the year or whale pods containing calves of the year.
- g. Do not swim with foetal fold dolphin calves.
- h. Sometimes cetaceans will approach or pass closely to swimmers or divers. If approached by a cetacean move slowly to avoid startling the animal and do not attempt to touch it or swim toward it. Be wary as cetaceans are wild animals and close interactions can be dangerous.

- i. The use of scooters or motorised diving aids is only permitted under licensing arrangement with the relevant jurisdiction. Otherwise the minimum approach distances for vessels apply to these craft.

2) Requirements for all specially permitted swim programs, all species, all areas (Tier 1)

- a. All vessel operation procedures and approach guidelines apply for this section. At all times manoeuvre the vessel and behave around cetaceans in accordance with applicable parts of these guidelines and any other regulations, codes of practice or restrictions applicable to the area and species.
- b. A vessel attempting to initiate swim interactions should be subject to specific permit conditions established by the relevant wildlife authority or, in the absence of such conditions, be subject to the same approach distance limitations with respect to the cetacean as any other vessel.
- c. No other vessel should be closer than 100m to a vessel conducting swims.
- d. Swimmers should be placed in the water in front of and to the side of the cetacean's path of travel. Do not place swimmers directly in the path of cetaceans.
- e. Take care when entering the water (no jumping or diving), and use gentle, quiet movements while in the water to help avoid startling cetaceans.
- f. It is advisable not to enter the water while cetaceans are within 30m.
- g. Attempts at swimming with cetaceans should stop if the animals show signs of disturbance and swimmers should leave the water in an orderly fashion without startling the animals.
- h. Where a rope(s) (or similar) is to be used to support observers in the water, it should preferably be attached to the vessel and swimmers should hold onto the rope(s). Ropes should not be configured in a way

that may pose an entanglement risk to cetaceans or humans (maximum recommended length is 50m).

- i. The vessel should not actively tow swimmers. Should re-positioning of the vessel be required, swimmers should leave the water.
- j. Successive swims or swim attempts with the same pod should be avoided if avoidance reactions have been observed.
- k. The use of SCUBA or hookah gear for dedicated cetacean observation activities is not sanctioned.

3) Additional requirements to be considered on a regional basis as necessary (Tier 2)

In determining provisions under Tier 2, species biology and behaviour, seasonal requirements, habitat requirements and type of cetacean observation operation should be considered. Specific issues to be considered should include:

- a. Maximum number of swimmers per day.
- b. The maximum interaction time with a pod.
- c. The maximum cumulative interaction time with the pod/population per day.
- d. The time required between successive swim attempts.
- e. The need for a designated 'reserve' area for the animals within the region where no swims are permitted.
- f. The need for a closed season during which time no swims would be permitted.
- g. Behavioural state of cetaceans.

3 *Glossary of Terms*

aircraft	any machine or apparatus for carrying people through the air.	cease contact	stop attempts to interact with cetacean or pod
approach	movement toward an object or animal	cetacean	any member of the taxonomic order Cetacea, a whale, dolphin or porpoise. No porpoises occur in Australian continental waters.
Australian waters	all state, territory and commonwealth waters from high water mark to the 200nm limit of the Exclusive Economic Zone, including estuarine waters	commercial	cetacean observation activity conducted with the intention to derive a profit component
avoid/avoidance	active movement or attempts to move away from or evade an object	disturbance	activities which cause behavioural and/or physiological changes in an animal
bow ride	ride on the pressure wave at the bow of a vessel or object moving through the water	diver	a person in the water equipped with underwater breathing apparatus such as hookah or SCUBA
buzzing	to fly an aircraft very low over an object on or near the surface	dolphin	in these guidelines 'dolphin' means: those members of the Suborder Odontoceti from the Family Delphinidae, excluding members of the subfamily Globicephalinae. Dolphins are distinguished from porpoises by their pointed teeth and pronounced beak.
calf-whale	for the purposes of these guidelines, a whale calf is an animal born in that year/calving season.	draught	the depth of a vessel below the water line
calf-dolphin	for the purposes of approach distances in these guidelines a dolphin calf is an animal half the length or less of an adult animal of that species for the purposes of swimming with dolphins, a dolphin calf is a newborn animal on which foetal folds can be seen	feeding	the provision of food or other substances that may be ingested
caution zone	an area around the cetacean where extra care needs to be taken by vessels; it has been created for the purpose of these guidelines to protect cetaceans from potential adverse effects of whale and dolphin watching activities while providing for close enough approaches for viewing	first tier management	base level management prescriptions establishing minimum standards eg. the Australian National Guidelines
cavitation	noise formed by the implosion of air bubbles formed in areas of low pressure moving to areas of higher pressure during vessel manoeuvring	foetal fold calf	calves that have visible foetal folds, these are usually evident by paler lines (or 'fold' marks) where the skin was creased before birth. the 'fold' marks disappear as the calf gets older
		group	see pod (operational)
		guidelines	the Australian National Guidelines for Cetacean Observation
		harmful	injurious or damaging

harassment	disturbance to normal behaviour	porpoise	members of the family Phocoenidae. Distinguished from dolphins by their spade-shaped teeth and the absence of a beak
idle	an engine turning over, but with no gear engaged		
impacts	effects of activities, either positive or negative	recreation	an activity conducted for leisure
in the wild	in a natural environment and not contained in restricted area	second tier management	management prescriptions establishing more rigorous requirements than those under the first-tier, eg. State regulations, regional Plans of Management
interact/ interaction	to seek an encounter, including observation, with a cetacean		
intercept	to cut across the path of	short-term	temporary changes
interference	disturbance to normal behaviour	snorkeller	a person in the water equipped with a snorkel
long-term	manifestation of changes over a period of time, may be temporary or permanent	song	the series of sounds produced by some whales, such as the humpback
national standards	requirements that apply throughout Australia	swimmer	a person in the water
normal activity	that range of behaviours that the individual or pod would be engaged in without the presence of humans	vessel	a water craft, floating structure or boat of any description
'no wake' speed	a slow speed at which wash created by boat passage is negligible	whale	in these guidelines 'whale' means: all members of the Suborder Mysticeti and those members of the Suborder Odontoceti from the families Physeteridae, Ziphiidae and Kogiidae, and the subfamily Globicephalinae
odontocetes	toothed whales; members of the Suborder Odontoceti from the families Physeteridae, Ziphiidae and Kogiidae, and the subfamily Globicephalinae	windage	the surfaces of a vessel above the water line
personal motorised watercraft	a power-driven device that has a fully enclosed hull designed to not take on water, and designed to be operated by a person standing, crouching, kneeling, or sitting astride it		
playback	the deliberate transmission of recorded sound into the surrounding medium		
pod (biological)	a small herd or school of cetaceans, usually a breeding unit		
pod (operational)	a herd of two or more animals separated by 2 – 3 adult body lengths or less		

**AREAS OF SPECIAL INTEREST
FOR
CETACEAN OBSERVATION**



1 Introduction

Some areas in Australia are of particular interest in the context of cetacean-based tourism. Express recognition of these areas by management jurisdictions and industry operators is important to ensure that development of tourism activity directed at cetaceans in these areas is appropriate. Early identification of such areas will allow developments to be assessed critically in the context of existing values of the area and effective management to be implemented at an early stage. The areas discussed here are a small selection of those that are of special interest for large whales; additional areas are equally important for other cetacean species, for example Monkey Mia in Western Australia.

An area may be recognised as of significance for a range of reasons. In some cases locations will be important as critical habitat for a species, for example the Head of Bight, South Australia for southern right whale breeding. In other cases its particular significance may arise from human centred factors, such as the desire to preserve the integrity of a land-based whale watching site of particular note.

In some cases one jurisdiction may be solely responsible for management of the area identified, while in other situations a

cooperative approach between agencies will be needed. Any management for areas of special interest should be based where possible on biological and behavioural requirements with a cooperative approach between jurisdictions eliminating artificial jurisdictional boundary limitations.

This paper identifies areas of special interest for cetacean based tourism. Most of these have already been afforded some form of recognition by agencies. Areas of importance biologically, for example calving grounds, are included. Areas around notable land based whale watching locations are identified with the intention to preserve the quality of tourist experiences.

Departments responsible for cetacean management in the regions identified are encouraged to consult with one another and other relevant parties to enhance the effectiveness of management strategies across jurisdictional boundaries. Any specific management provisions could be implemented as a second tier in the two tiered management framework recommended by the ANZECC Task Force on the Recreational Observation of Marine Mammals and Other Species.

2. Areas of special interest

2.1 South Australia

Area 1 – Head of Bight (Great Australian Bight Marine Park areas)

Incorporating waters within the South Australian Great Australian Bight Whale Sanctuary and Great Australian Bight Marine National Park, and Commonwealth Great Australian Bight Marine Park. This is an important calving and mating area for southern right whales, especially close to shore in the South Australian marine park, and offers exceptional land-based whale watching opportunities.

Management considerations: Immediately prior to, during, and for some time after calving, cetaceans are at what is perhaps their most vulnerable. Special protection should be afforded to cetaceans in known breeding areas. Preserving the integrity of land-based whale watching experiences is a further management consideration for the area.

Jurisdictions: South Australia and Commonwealth.

Area 2 – Encounter Coast (Victor Harbor)

This is an important area for viewing of southern right whales and calves between May and September. The area offers exceptional land-based whale watching opportunities within a short distance from metropolitan Adelaide and attracts tens of thousands of people annually.

Management considerations: Protection of fragile coastal vegetation and public safety issues associated with cliff top viewing and surf safety.

Jurisdictions: South Australia State and Local Government.

2.2 Queensland

Area 1 covering the Whitsundays has been expanded to include the broader region covered by the Whitsundays Plan of

Management. Areas 2 to 4 are as detailed in Section 2.2.3 Areas of Special Interest, Management Program for the Conservation of Whales and Dolphins in Queensland 1997-2001.

Area 1 – Whitsundays Plan of Management Area

Area 2 – Hervey Bay

Area 3 – Moreton Bay – Fraser Island

Area 4 – Gold Coast – Moreton Island

Area 5 – Cairns and Ribbon Reefs

The area is important for calving and breeding of the Area V humpback whale population with sightings records indicating that calving grounds extend north from the Whitsundays (21(S), with animals observed at 15(S (Morgan 1992)). The species utilises the area between about July and September (Morgan 1992). In addition, dwarf minke whales are encountered in the Ribbon Reefs area between about May to August and a swim with whales industry has developed based on this species.

Management considerations: Immediately prior to, during, and for some time after calving, cetaceans are at what is perhaps their most vulnerable. Special protection could be afforded to cetaceans in known breeding areas. Land-based whale watching could be encouraged in preference to vessel-based activity. The development of swim programs with dwarf minke whales should continue to be monitored as little is known about the species usage of the area.

Jurisdictions: Queensland and Commonwealth (Great Barrier Reef Marine Park Authority and Environment Australia).

2.3 Western Australia

Area 1 – Waters off the NW coast north of Cape Leveque

This area is important for calving and breeding of the Area IV humpback whale population, with preliminary studies indicating that calving

grounds extend north and east of Cape Leveque (16(24' S) across the Buccaneer Archipelago and Camden Sound region (Jenner & Jenner 1996). The peak sightings period is mid-August to mid-September (Jenner & Jenner 1994; 1996), however the species utilises the area between about July and October.

Management considerations: Immediately prior to, during, and for some time after calving, cetaceans are at what is perhaps their most vulnerable. Special protection could be afforded to cetaceans in known breeding areas. Land-based whale watching could be encouraged in preference to vessel-based activity.

Jurisdictions: Western Australia and Commonwealth.

Area 2 – Coastal areas from Albany to the Great Australian Bight

These are important breeding areas for southern right whales and also for viewing humpback whales and possibly sperm whales (being considered).

Management considerations: There is significant tourism activity at Albany, Bremer Bay and other coastal locations, with licensed whale watch vessels in operation.

Jurisdictions: Western Australia and some Commonwealth.

Area 3 – Perth waters

These waters are important temporary rest areas for southward migrating humpback whales from August to November, with particular emphasis on mother and calf pods in the latter part of the season.

Management considerations: Potential for conflict between whales and vessels (both recreational and commercial) is increasing along with the migrating whale population, estimated to be above 4,000 and increasing at around 10% per annum.

Jurisdictions: Western Australia and some Commonwealth.

2.4 New South Wales

Area 1. Cape Byron – Tweed Heads

Cape Byron is recognised as a prime location for observing migrating humpback whales.

Management considerations: As the area provides such high quality land based whale watching, boat based cetacean watching in the area could be discouraged especially given the increasing levels of whale watching activities out of numerous ports the length of the NSW coast.

Jurisdiction: New South Wales.

Area 2 – Coastal waters in the vicinity of Coffs Harbour

Observation of migrating humpbacks travelling both north and south have been made from this area for a number of years, and calving events have been reported.

Management considerations: Commercial tourism operations are increasing and need to be monitored. Potential for disturbance of individual humpbacks at each encounter but also on a cumulative impact basis the length of the migration route along the NSW coast.

Jurisdiction: New South Wales.

Area 3 – Waters within and adjacent to Port Stephens

Bottlenose dolphins in these waters are the subject of the most intensive commercial tourism operations along the NSW coast. Increasingly operators are also taking advantage of the humpback whale migration on both northern and southern legs.

Management considerations: Potential for disturbance of dolphins from both recreational and commercial dolphin watching vessels as well as other water based activities in the Port is increasing. As this population may include individuals/groups which are resident to the Port the impacts of such activities need to be monitored. Potential for disturbance of individual humpbacks at each encounter but also on a cumulative impact basis the length of the migration route along the NSW coast.

Jurisdiction: New South Wales.

Area 4 – Waters within and adjacent to Twofold Bay

Waters within the bay are annually visited, although in low numbers by humpbacks and southern right whales. Blue whales are also sighted outside the bay. Humpback whales have been observed feeding within the bay. The importance of the area to southern right whales particularly is not yet understood but given the historic land based whaling industry in the bay and records of resting animals close to shore it may potentially be a significant site in the NSW context. The occurrence of blue whales in coastal NSW waters is uncommon and the ecology of this species is little understood.

Management considerations: A small but increasing commercial industry is developing and as such the potential impacts on these species should be monitored. Potential for disturbance of individual humpbacks at each encounter but also on a cumulative impact basis the length of the migration route along the NSW coast.

Jurisdiction: New South Wales.

2.5 Victoria

Area 1 – Logan’s Beach, Warrnambool

Logan’s Beach is an area where southern right whales come to calve and usually remain between June and October. It is a prime location for viewing these whales from land.

Management considerations: As the area provides such high quality land-based whale watching, boat based cetacean watching in the area could be discouraged.

Jurisdiction: Victoria.

2.6 Tasmania

Area 1 – Great Oyster Bay and Mercury Passage

Humpback and southern right whales are observed frequently in the region during the migrating season. Southern right whales have

been known to remain in the area for extended periods.

Management considerations: The level of commercial whale watching activity in the area is currently low and is unlikely to present management issues for some time.

Jurisdiction: Tasmania.

Area 2 – Adventure Bay, Bruny Island

This area is Tasmania’s most predictable area for sighting southern right whales. Stays of 1-5 weeks have been recorded and calving confirmed in the area.

Management considerations: None at present

Jurisdiction: Tasmania.

2.7 Commonwealth waters

Offshore western Victoria

Preliminary studies indicate that this may be an important pygmy blue whale feeding area.

Management considerations: Although possibly too far offshore for commercial whale watching to develop, little is known of the importance of the area to pygmy blue whales and any development of whale watching here should be monitored.

Jurisdiction: Commonwealth.