Appendix Six – Proposed conditions for marine mammal viewing permit

Below are proposed conditions that address a new approach for managing the naming of vessels and staff in marine mammal viewing permits and any potential changes.

Proposed conditions

1. Authorised Personnel Requirement

Marine mammal viewing activities authorised by this permit must only be undertaken by authorised personnel who meet the competency requirements set out in Condition 2.

The Permit Holder must ensure that:

a) Only authorised personnel undertake marine mammal viewing activities.

b) Authorised personnel understand and comply with all permit conditions.

c) Authorised personnel always comply with the Marine Mammals Protection Regulations.

2. Competency Requirements

Before being authorised to conduct marine mammal viewing activities, personnel must have completed training covering:

a) **Regulatory Requirements**

I. Marine Mammals Protection Regulations requirements

II. Minimum approach distances

III. Vessel interaction rules

IV. Prohibited activities

V. Reporting requirements

b) **Marine Mammal Awareness**

I. Identification of relevant species

II. Behavioural indicators of disturbance

III. Conditions requiring withdrawal

IV. Sensitive situations (e.g. calves, resting groups)

c) **Operational Procedures**

I. Vessel handling near marine mammals

II. Decision-making protocols

III. Passenger management

IV. Incident response procedures

The Permit Holder must ensure that authorised personnel have sufficient experience and knowledge to undertake marine mammal viewing safely and in accordance with permit conditions.

3. Authorised Personnel Register

The Permit Holder must maintain a **current register of authorised personnel**.

The register must include:

a) Full name

b) Role (e.g. skipper or guide)

c) Date authorised

d) Relevant training completed

The register must be provided to the Department on request.

4. Notification of Personnel Changes

The Permit Holder may notify the Department when new personnel are authorised or on request of the Department.

Notification may be provided by email and must include:

a) Name of authorised person

b) Role

c) Date authorised

Should DOC request, notification must be provided:

a) Prior to the person undertaking marine mammal viewing activities, or

b) As soon as practicable after authorisation.

This condition does not require a permit amendment.

5. Operational Responsibility

At all times during marine mammal viewing activities:

a) A designated authorised person must be responsible for vessel operation.

b) A designated authorised guide or skipper must be responsible for marine mammal interaction decisions.

The responsible authorised person must be identifiable to Department staff on request.

6. Training Records

The Permit Holder must maintain records of training completed by authorised personnel.

Training records must be made available to the Department on request.

Training records must include:

a) Training topics covered

b) Date of training

c) Trainer or training provider

7. Staff Identification

Authorised personnel must be able to identify themselves to Department staff on request.

Identification may include:

a) Crew identification

b) Maritime documentation

c) Company identification

8. Compliance Responsibility

The Permit Holder remains responsible for ensuring that all authorised personnel comply with:

a) Permit conditions

b) Marine Mammals Protection Regulations

c) Any written operational procedures supplied to the Department.

9. Written Operating Procedures

The Permit Holder must maintain written procedures covering:

a) Marine mammal approach protocols

b) Decision-making responsibilities

c) Incident reporting procedures

These procedures must be made available to the Department on request.

10. Incident Reporting

Any incident involving:

a) Breach or suspected breach of Marine Mammals Protection Regulations

b) Disturbance of marine mammals

c) Injury or stranding associated with the activity

must be reported to the Department as soon as practicable.

1. Notification of main vessels

Notify the Department of Conservation of:

a) any changes to main vessels used in operations, and
b) at beginning of the year any increase of additional ancillary vessels