

A guide to boating and swimming around whales, dolphins and seals

CONSERVATION REGULATOR VICTORIA

One of the great attractions of Victoria's coast line is the opportunity to see whales, dolphins and seals.

From Nelson to Mallacoota, there's a good chance of seeing a dolphin riding in the bow of a boat, a whale leaping high out of the water or a seal lazing on a beach.

The Wildlife (Marine Mammal) Regulations 2019 are a set of laws to protect seals, dolphins and whales in Victoria. This brochure shows the distances to be kept from marine mammals to ensure your safety and minimise our impact on these special animals.

Keep your distance

Watch whales, dolphins and seals responsibly and admire them from a distance. Use binoculars or a camera lens to get a closer look.

When boating

Don't get too close. It's OK for whales, dolphins and seals to approach you, but don't approach them beyond the permitted distances. Wherever possible, leave encounters to chance and at the animal's choice (see Figure 1).

If a whale, dolphin or seal takes an interest in you, slow down, don't change course or speed suddenly and take care to avoid collisions. If there is a need to stop, reduce speed gradually.

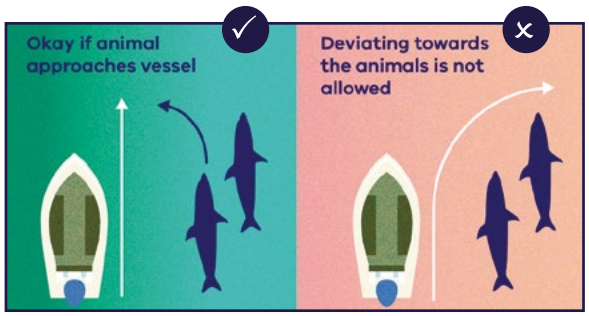


Figure 1. Boating around marine animals

No go zone

For whales and dolphins:

In the "no go zone" (shown as the red circle in Figures 2 and 3) recreational boats must not approach within:

- 100 metres of a dolphin or,
- 200 metres of a whale.

Jet skis are not permitted to approach within 300m of any whale or dolphin.

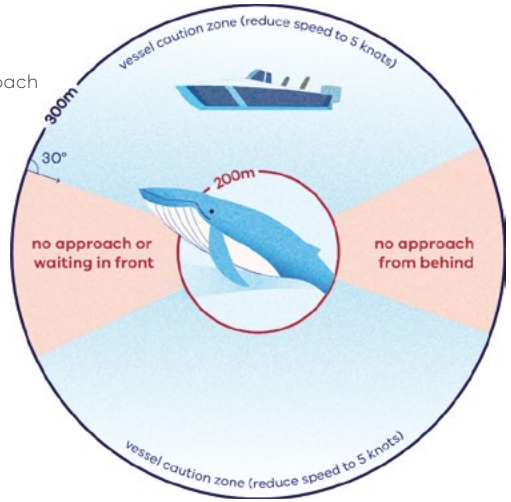


Figure 2. Whale approach distances

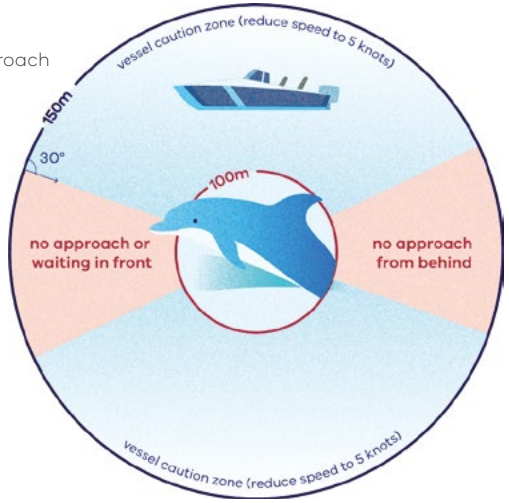


Figure 3. Dolphin approach distances

For seals:

- For seals in water there isn't a 'no go zone' but vessels must reduce speed to 5 knots in caution zones and abide by 'no approach' zones (see Figure 4).
- For seals on land, you must keep at least 30 metres away, whether you are in the water or on land (see Figure 5).
- For seals socialising or resting at a haul out site, you must keep at least 30 metres away in a vessel (see Figure 6).
- For seals on a boat ramp, jetty or other structure attached to land, you must keep at least 5 metres away (see Figure 7).
- Restrictions apply to approaching seal breeding colonies (see Protection Zones overleaf).
- Jet skis are not permitted within 50 metres of seals at haul out sites and on land.
- Dogs must be kept 50 metres away from seals.

These restrictions are for your own safety. The only exceptions to this are where you need to move past a seal for safety reasons, to land and retrieve your boat, or to navigate along recognised channels.

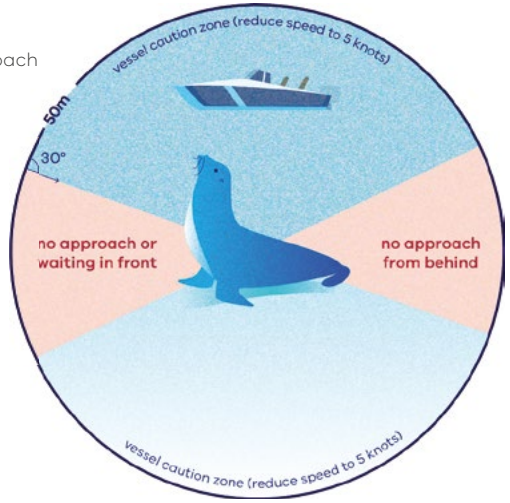


Figure 4. Seal approach distances

No approach zone

The "no approach zone" (shown in orange in Figures 2, 3 and 4) is the area directly in front of and behind whales, dolphins or seals. If you see a whale, dolphin or seal while boating, you must not knowingly approach the animal from these directions. It is also illegal to deliberately position your boat in the path of a whale, dolphin or seal.

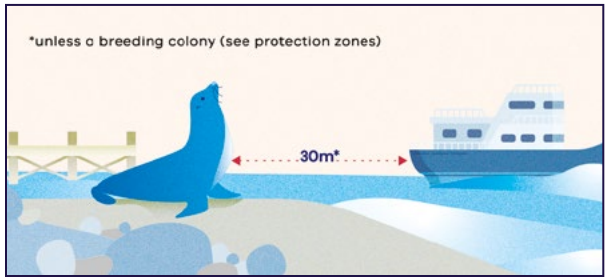


Figure 5. Seal on land approach distances

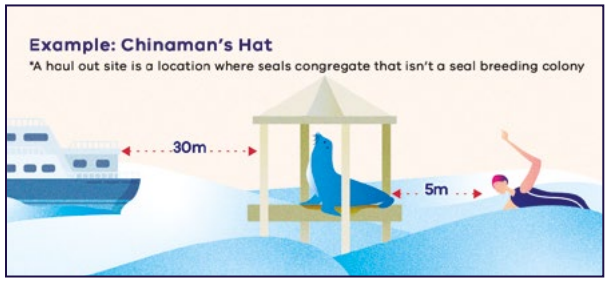


Figure 6. Seal on haul out* approach distances

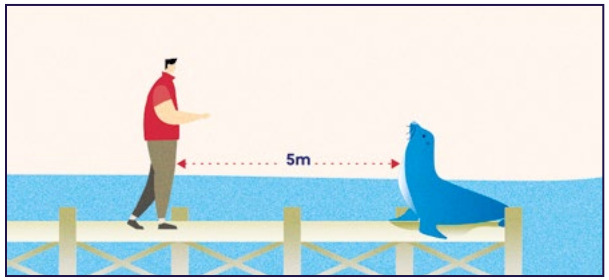


Figure 7. Seal on water infrastructure approach distances

Caution zone

The "caution zone" (shown in dark blue in Figures 2, 3 and 4) is the area within 300 metres around a whale, 150 metres around a dolphin and 50 metres around a seal. When boating in this zone, you must:

- avoid sudden changes in speed or direction
- maintain a constant speed not exceeding 5 knots (8 kph)
- leave the zone if a whale, dolphin or seal shows any sign of disturbance
- not separate any individual whale, dolphin or seal from its group
- not come between a mother and her young.

Reporting infringements

Under the *Wildlife Act 1975*, people who undertake illegal interactions with whales, dolphins and seals could be subject to fines or face imprisonment. Illegal interactions can be reported to the Conservation Regulator via the DEECA Customer Service Centre on 136 186. If in doubt, report it! You can remain anonymous if you wish.

In narrow waterways

In waterways less than 300 metres wide, keep at least 100 metres away from a whale and 30 metres away from a dolphin. The only exception to this is where you need to pass closer for safety reasons (see Figures 8 and 9).

Figure 8. Approaching a whale in a narrow waterway

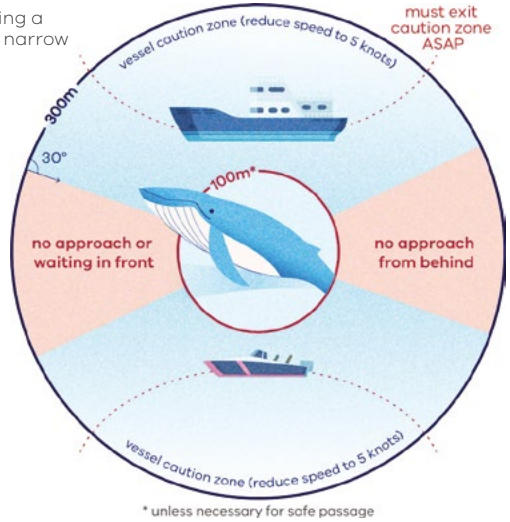
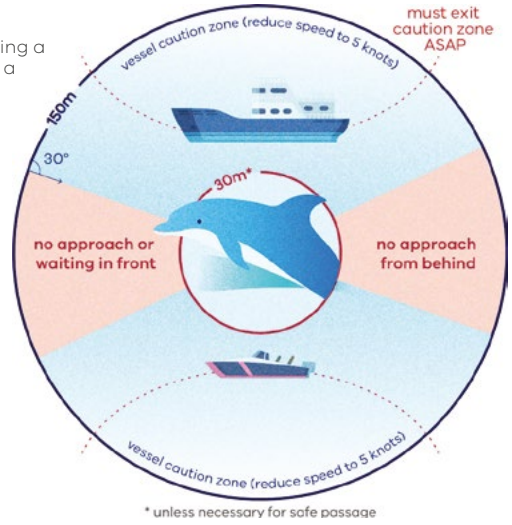


Figure 9. Approaching a dolphin in a narrow waterway



When swimming or surfing

It's important to remember whales, dolphins and seals are large animals and may see you as a threat. There have been numerous cases where humans have been bitten by seals, knocked over by dolphins, or hurt or killed trying to swim with large whales.

To protect you and the animals you must not swim or surf any closer than 30 metres to a dolphin (see Figure 10) or 50 metres to a whale (see Figure 11).

There are no restrictions on how close you can swim or surf near a seal that is in the water, but you should be careful as seals can bite or knock you over.

You must not swim closer than 5 metres to a seal that is at a haul out site (see Figure 6 – i.e. the seal at haul out diagram).

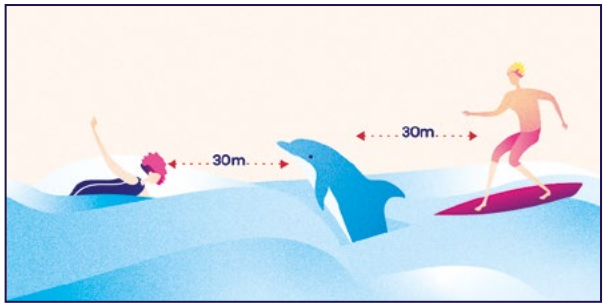


Figure 10. Dolphin approach distances

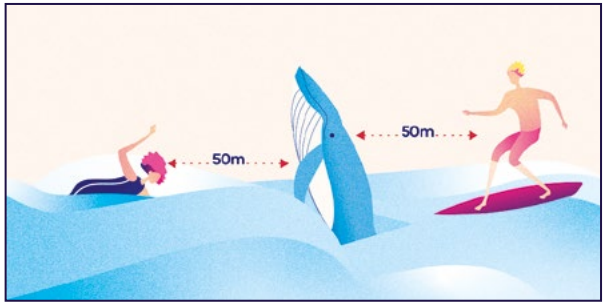


Figure 11. Whale approach distances

General information

Hands off

Remember that whales, dolphins and seals are wild animals and not pets. They generally don't like being touched and can bite, scratch or slap you with their fins. Numerous bites have been reported by people trying to pat or grab onto these animals. It's not good for the animal and nearly any wild animal, no matter how timid or small, is capable of inflicting injury.

Don't feed wild animals

Never attempt to feed wildlife. Wild animals rarely (if ever) need to be fed by humans. Some animals can become dependent on handouts or aggressive when they don't get what they expect. They can also get sick from eating inappropriate foods or injure themselves if they swim too close to boats.

Feeding fish scraps to seals and dolphins can result in people getting bitten. In some cases, habituated animals may have to be euthanised if they continually approach people for food.

Wild animals are hunters and don't need people to survive.

Responsible pet ownership

Wildlife and pets don't mix. Keep pets on a leash or leave them at home. Both pets and wild animals can be injured in unexpected encounters. When walking your dog, stay at least 50 metres away from seals. This will reduce stress for the seal and the chance of your dog getting bitten. Dogs can transfer diseases to seals and vice versa. If you are in a boat, you must not let your dog enter the water within 150 metres of a dolphin, 300 metres of a whale and 50 metres of a seal. If you see a stranded whale, be sure to keep your dog at least 300 metres from the whale.

Let wildlife be wild

Limit the time you spend watching whales, dolphins and seals. Encounters with people can be stressful for animals and alter their behaviour. Fifteen minutes is usually reasonable. It is likely you are not the only person to approach the animal that day. Remember the sea and surrounds are their home; you are visiting, so keep your distance and avoid disturbing them.

Choosing a tour operator

Licensed tour operators are permitted to approach whales, dolphins and seals closer than the distances detailed above, subject to a range of strict operating conditions. For more information on the rules relevant to tour operators, please visit the DEECA website at: www.deeca.vic.gov.au

Reporting injured or distressed marine mammals

Stranded, entangled, sick or injured whales or dolphins should be reported to the Whale and Dolphin Emergency Hotline on 1300 136 017. Do not report seal or penguin issues to this number. Stranded, entangled, sick or injured seals or penguins should be reported to the DEECA Customer Service Centre on 136 186.

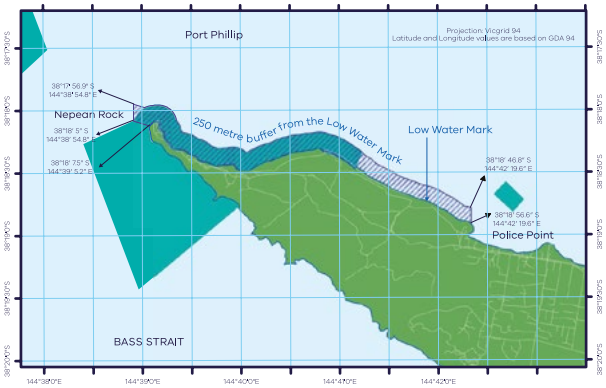
Protection zones

There are a number of important areas in Victoria where whales, dolphins and seals gather, breed and feed. Marine mammals are given special protection in these areas to minimise disturbance.



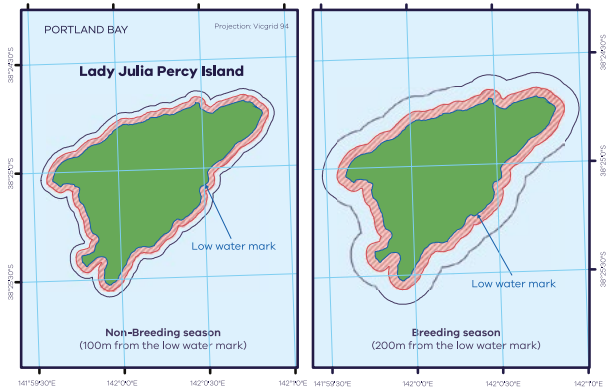
1. Ticonderoga Bay Sanctuary Zone, Port Phillip Bay

- Boats must not approach within 200 metres of a whale or dolphin.
- Jet skis not permitted within 300 metres of a whale or dolphin.
- Boats can enter the area, but if a whale or dolphin is present, keep your distance.
- Boats must not exceed 5 knots within 250 metres of shore.



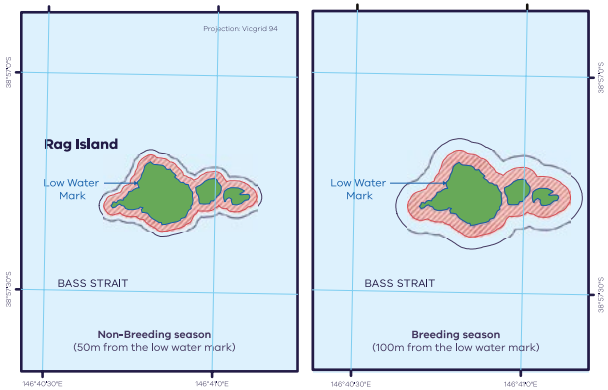
2. Lady Julia Percy Island, near Port Fairy

- Boats not permitted within 200 metres of Lady Julia Percy Island during seal breeding season (1 November to end of February).
- Outside breeding season, boats not permitted closer than 100 metres of Lady Julia Percy Island.
- Jet skis not permitted within 200 metres of the seal colony boundary.



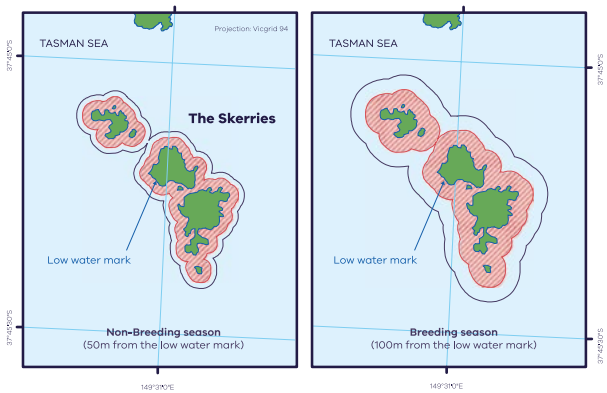
3. Rag Island, Cliffy Group east of Wilsons Promontory

- Boats not permitted within 100 metres of Rag Island during seal breeding season (1 November to end of February).
- Outside breeding season, boats not permitted closer than 50 metres of Rag Island.
- Jet skis not permitted within 200 metres of the seal colony boundary.



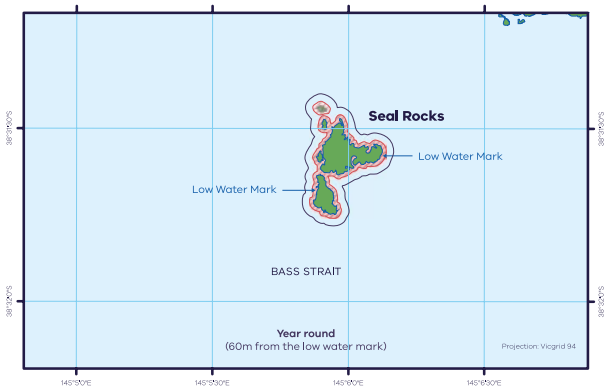
4. The Skerries, Croajingalong National Park

- Boats not permitted within 100 metres of The Skerries during breeding season (1 November to end of February).
- Outside breeding season, boats not permitted within 50 metres of The Skerries.
- Jet skis not permitted within 200 metres of the seal colony boundary.



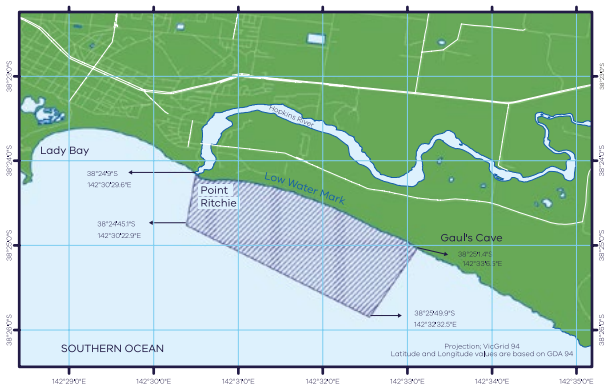
5. Seal Rocks, Philip Island

- Boats not permitted within 60 metres of Seal Rocks.
- Jet skis not permitted within 200 metres of the seal colony boundary.



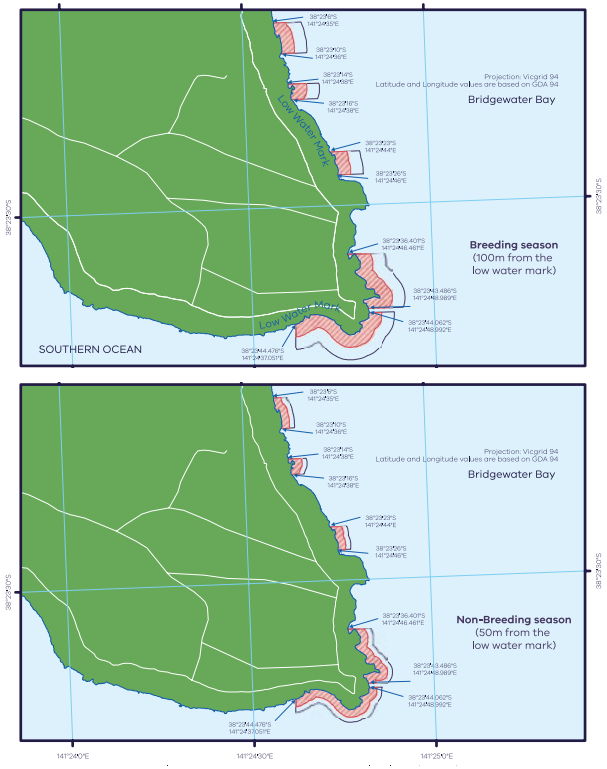
6. Logan's Beach Exclusion Zone, near Warrnambool

- All boating activity (including jet skis) prohibited in Logan's Beach Exclusion Zone from 1 June to 31 October each year.



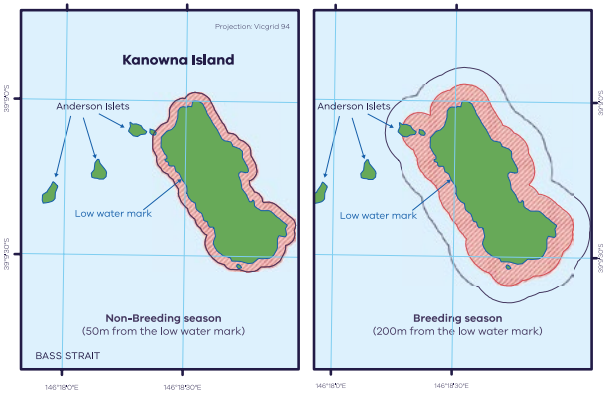
7. Cape Bridgewater, near Portland

- Boats not permitted within 100 metres of the seal breeding colony at Cape Bridgewater during breeding season (1 November to end of February).
- Outside breeding season, boats not permitted closer than 50 metres of the seal breeding colony at Cape Bridgewater.
- Jet skis not permitted within 200 metres of the seal colony boundary.



8. Kanowna Island, Wilsons Promontory

- Boats not permitted within 200 metres of Kanowna Island between November and January or within 50 metres between February and October.
- Under the provisions of the *National Parks Act 1975* all classes of vessels, other than those operating under a Licensed Tour Operator Permit, are prohibited from approaching within 200 metres of Kanowna Island between November and January or within 50 metres between February and October.
- Jet skis not permitted within 200 metres of the seal colony boundary.



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