The EPBC Act protects all listed species from significant impacts, including those associated with sonar and seismic activities.

The Department's seismic guidelines outline how proponents can avoid significant impacts on whales. The guidelines make clear that additional measures, including use of trained and experienced Marine Mammal Observers, spotter vessels and aircraft and Passive Acoustic Monitoring, may be required in medium to high risk situations.

Ultimately the measures that are applied to a survey will be decided by the regulator when approving the activity. In Commonwealth waters, that regulator is NOPSEMA.

The National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) has held sole responsibility since February 2014 for assessing all proposals for offshore oil and gas projects, and ensuring that these activities do not have unacceptable impacts on matters of national environmental significance protected by the EPBC Act.

Through independent review, and ongoing oversight of administrative arrangements, the Department of the Environment and Energy is confident that NOPSEMA has in place effective processes for assessing and monitoring potential impacts to EPBC listed marine fauna.