

## MINISTERIAL BRIEFING NOTE

CoS / Advisor ..... Endorsed

Date 17/8/16

SUBJECT: Interim conservation order to protect Beach stone-curlew on Pelorus Island, North Queensland

|                                                                                                                                                                                                 |                                                                                                                                      |
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| <input checked="" type="checkbox"/> Approved<br><input type="checkbox"/> Not Approved<br><input type="checkbox"/> Noted<br><input type="checkbox"/> Further information required (see comments) | Minister's Signature: <br>Date 17/8/16<br>Comments: |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|

**Action Required by:** As soon as possible. The threat to the Beach stone-curlew already exists through the recent introduction of two canines to Pelorus Island which should be mitigated as soon as possible.

## RECOMMENDATION

- It is recommended the Minister:
  - sign attached Interim Conservation Order (ICO) no.3/16 (Attachment 1) to:
    - prohibit the bringing a canine onto Pelorus Island for use in controlling goats or other pests;
    - prohibit the release of a canine on Pelorus Island with the intention of it being introduced into the ecosystem as a free-ranging animal;
    - require Hinchinbrook Shire Council (the predominant landholder) to remove, or to humanely destroy all canines that have already been released in Pelorus Island as a free-ranging animal within 14 days; and
    - suspend the operation of any permit or authority granted under the *Land Protection (Pest and Stock Route Management) Act 2002* or any other legislation to the extent that it contravenes (a) and (b) above.
  - sign the attached letter (Attachment 2) to the Mayor of Hinchinbrook Shire Council advising of the making of the ICO.

## ISSUES

- The release of canines onto Pelorus Island was approved through a permit granted to Dr Benjamin Allan on 24 June 2016 by the Department of Agriculture and Fisheries under the *Land Protection (Pest and Stock Route Management) Act 2002*.
- On 25 November 2015, the Department of Environment and Heritage Protection (EHP) had granted Dr Allen a scientific purposes permit under the *Nature Conservation Act 1992* (the NCA) to monitor the responses of fauna and flora to the temporary addition of canines (said to be dingos) and the removal of goats on Pelorus Island.
- The EHP assessment process for the scientific purposes permit only related to the wildlife monitoring methods proposed to be used to determine which fauna are present on the island in order to monitor that wildlife, not the question of whether the activity should occur. As the proposed methods were of a routine nature for this type of wildlife research, zoologist input was not sought when the application was assessed.
- EHP zoologists have subsequently advised that free-ranging canines on Pelorus Island are likely to predate on the Beach stone-curlew, which is listed as a threatened species under the NCA.
- Beach stone-curlews are likely to be most vulnerable to attack when they are asleep on the beach at night. Departmental zoologists advise that the presence of canines may also cause Beach stone-curlews to move away from the island to other areas of unknown risk.
- Hence, the introduction and ongoing presence of free-roaming canines on Pelorus Island could be considered to be a threatening process for the Beach stone-curlew, which is likely to have a significant detrimental effect on the species at the location. Other ground-dwelling native animals are also expected to be impacted.
- An ICO can be made under s.102 of the NCA to prohibit or control a threatening process, including to suspend the operation of any permit or other authority granted under the *Land Protection (Pest and Stock Route Management) Act 2002* or other legislation associated with a threatening process.

## BACKGROUND

- Pelorus Island is a small (356ha) island located north of Palm Island, principally comprised of reserve land managed by Hinchinbrook Shire Council as Trustee. A population of feral goats are impacting vegetation and soil on the island, however other efficacious methods or controls are used in similar situations.
- Dr Benjamin Allan (who is sponsored by the University of Southern Queensland) working collaboratively with Hinchinbrook Shire council, reportedly introduced two canines onto Pelorus Island in order for them to predate on the goats as a feral goat eradication strategy. Two more canines are planned to be released in the future.
- The canines have been implanted with capsules containing 1080 which are designed to release inside the animals in about two years and kill them, if they are not destroyed by shooting beforehand.
- Animal ethics approval and a permit under the *Land Protection (Pest and Stock Route Management) Act 2002* were obtained by Dr Allen to use the canines in this way.
- Pelorus Island is populated by a range of protected birds and animals including the Beach stone-curlew, which is a threatened species (vulnerable) under the NCA.

Rec'd - ODG

15 AUG 2016

## CONSULTATION

14. In-house Legal have settled the ICO.

### ATTACHMENT

Attachment 1. Interim Conservation Order No.3/16  
Attachment 2. Advisory letter to Mayor of Hinchinbrook shire Council

|                                                                                                                               |                                                                                                                                                                                                                                                               |                                                                                                                        |                                                                                                                                                                                                  |
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| <b>Author</b><br>Name: Michael Devery<br>Position: Manager NCS<br>Compliance<br>Tel No: 3330 5257<br>Date Drafted: 15/8 /2016 | <b>Unit Endorsement</b><br>Name: Allan Williams<br>Position: A/Director TSU<br>Tel No: 3330 5498<br>Date Endorsed: 15/08/2016<br><b>Branch Endorsement</b><br>Name: Rebecca Williams<br>Position: A/ED, NCS<br>Tel No: 3330 5512<br>Date Endorsed: 15/08/2016 | <b>Division Endorsement</b><br>Name: Maria Mohr<br>Position: DDG NCS<br>Tel No: 3330 5017<br>Date Endorsed: 15/08/2016 | <b>Director-General Endorsement</b><br>Name: Jim Reeves DG, EHP<br>Tel No: 3330 6298<br>Signed:  Date 15.8.16 |
|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Released by EHP  
RTI Act 2009



Hon Dr Steven Miles MP  
Minister for Environment and Heritage Protection and  
Minister for National Parks and the Great Barrier Reef

Ref CTS 20428/16

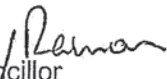
17 AUG 2016

COPY

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Councillor Ramon Jayo  
Mayor  
Hinchinbrook Shire Council  
PO Box 366  
HINCHINBROOK QLD 4850

Dear Councillor 

I am writing to inform you of an Interim Conservation Order (the Order) that I have made for the purpose of protecting the Beach stone-curlew (*Esacus magnirostris*) which is listed as vulnerable under the Queensland *Nature Conservation Act 1992*.

The Order applies to the land comprising Pelorus Island, described as Lot 3 on SP181657, 4 on SP181657, 22 on CWL806711 and the Esplanade (the Land). The Order, a copy of which is attached, is effective from 17 August 2016 and will remain in force for 60 days in the first instance.

The Terms of the Order are:

- (a) A person must not bring a canine onto the Land for use in controlling feral goats or other pests.
- (b) A person must not release a canine on the Land with the intention of it being introduced into the ecosystem as a free-ranging animal.
- (c) As soon as is reasonably practicable, but not later than 14 days from the date of this Order, Hinchinbrook Shire Council must ensure that all canines which have already been introduced or released on the Land for feral goat control under authority of a permit granted to Dr Benjamin Allen of the University of Southern Queensland under the *Land Protection (Pest and Stock Route Management) Act 2002* are removed from the Land or destroyed.
- (d) Within 5 days of complying with paragraph 3(c) of the Order, Hinchinbrook Shire Council must provide written advice to the officer of the Department of Environment and Heritage Protection listed in Schedule 2 of the Order that this action has been taken, including supplying supporting photographic evidence that all the relevant canines have either been removed from Pelorus Island or have been destroyed.
- (e) Any permit, licence or other authority granted under the *Land Protection (Pest and Stock Route Management) Act 2002* or any other legislation which authorises the introduction or release of a canine on Pelorus Island is suspended to the extent that it contravenes paragraphs (a) and (b) of this Order.

Failure to comply with the Order attracts a maximum penalty of 3000 penalty units or two years imprisonment.

If you have any queries relating to the Order, please contact Mr Philip Halton, Chief of Staff in my office on (07) 3719 7330.

Yours sincerely



**DR STEVEN MILES MP**  
**Minister for Environment and Heritage Protection and**  
**Minister for National Parks and the Great Barrier Reef**

Att

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## Interim Conservation Order

I, Steven John Miles, Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef make this Interim Conservation Order (Order) pursuant to section 102 of the *Nature Conservation Act 1992* (the Act).

I am of the opinion that the protected bird species the Beach stone-curlew (*Esacus magnirostris*) is subject to a threatening process that is likely to have a significant detrimental effect on the species. The Beach stone-curlew has been prescribed as vulnerable wildlife under the Act.

### 1. Area to which Order applies

This Order applies to the land described as Lot 3 on SP181657, 4 on SP181657, 22 on CWL806711 and the Esplanade outlined on the map ICO no.3/16 included as Schedule 1 (the Land).

### 2. Definitions

For the purposes of this Order, 'canine' includes a dingo and a dog.

### 3. Terms of Order [s.103]

- (a) A person must not bring a canine onto the Land for use in controlling feral goats or other pests.
- (b) A person must not release a canine on the Land with the intention of it being introduced into the ecosystem as a free ranging animal.
- (c) As soon as is reasonably practicable, but not later than 14 days from the date of this Order, Hinchinbrook Shire Council must ensure that all canines which have already been introduced or released on the Land for feral goat control under authority of a permit granted to Dr Benjamin Allen of the University of Southern Queensland under the *Land Protection (Pest and Stock Route Management) Act 2002* are removed from the Land or destroyed.
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- (e) Any permit, licence or other authority granted under the *Land Protection (Pest and Stock Route Management) Act 2002* or any other legislation which authorises the introduction or release of a canine on Pelorus Island is suspended to the extent that it contravenes paragraphs (a) and (b) of this Order.

**4. Duration of Order [s.105]**

This Order shall remain in force for 60 days.

Signed:

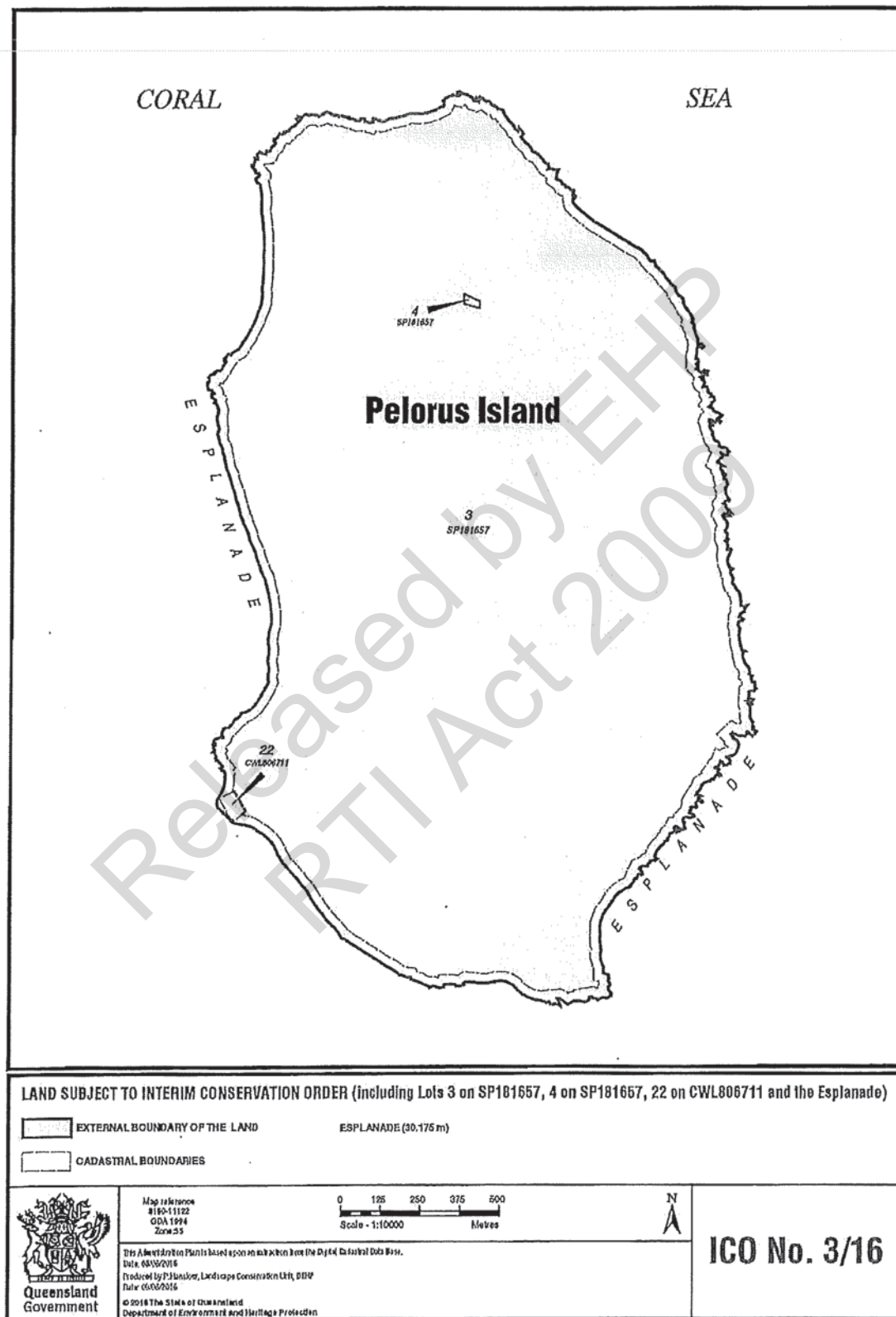


**Dr Steven John Miles  
Minister for Environment and Heritage Protection and  
Minister for National Parks and the Great Barrier Reef**

Date: 17<sup>th</sup> day of August 2016.

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Schedule 1



**Schedule 2.**

**Officer of the Department of Environment and Heritage Protection for the purposes of Term (d) of this Order**

Mr Jim Reeves  
Director-General  
Department of Environment and Heritage Protection  
Level 13, 400 George Street Brisbane  
GPO Box 2454 Brisbane 4001  
W: (07) 33305498  
Email: [EHPDG.Corro@ehp.qld.gov.au](mailto:EHPDG.Corro@ehp.qld.gov.au)

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RTI Act 2009

## SHAW Gary

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**From:** DE SALVO Donna on behalf of Corro EHP CSS NCS  
**Sent:** Monday, 15 August 2016 5:07 PM  
**To:** Corro EHP CSS NCS  
**Subject:** FW: Further information - Beach stone-curlew background and Lots comprising Pelorus Island

**Importance:** High

Further Information regarding the Beach stone-curlew as requested by the Minister's Office plus details on Lots comprising Pelorus Island

### Beach stone-curlew



Beach stone-curlew, Picnic Island,  
Great Sandy Stralts Photo: D. Stewart (EHP)

- Beach stone-curlews range widely through SE Asia, Australia and Oceania, but are always at low densities and are considered rare throughout.
- IUCN Red List notes total population is estimated to be about 6,000 individuals, of which about 5,000 are believed to be in Australia. The population is believed to be in decline across most of its range due to human disturbance and predation by introduced cats, pigs and dogs.
- The Great Barrier Reef islands are considered to be the stronghold for the species.
- Beach stone-curlews are listed as Vulnerable in Queensland, Critically Endangered in New South Wales (where the population was recently recorded as 16 individuals) and Near Threatened on the global IUCN Red List.
- The species is found on deserted beaches all around northern Australia, usually in pairs. All types of beach are occupied. This species is easily disturbed and there are many areas where this bird is not found. They are usually solitary or in pairs. In New South Wales, each pair is separated by 10 to 150 km (mostly 20-50 km) where they hold exclusive territories.
- Beach stone-curlews are believed to be site faithful and will abandon beaches disturbed by humans, vehicles or dogs.
- Beach stone-curlews feed on the mudflats exposed at low tide but are forced to roost above the high tide mark making them prone to ambush predation where bush grows down to the foreshore.

- Breeding occurs between September and March, usually a single egg being laid in a sandy scrape, although a second egg may be laid if the first is destroyed. Eggs take about a month to hatch. Although downy chicks are precocial and can run soon after hatching, they are still highly prone to predation and can only fly well once three months old. Both parents care for the hatchling for between seven to 12 months.
- The low breeding rate, sparse population density, wide dispersal and proneness to disturbance and predation contribute to the vulnerability of Beach stone-curlew populations.

#### Details of Lots comprising Pelorus Island

- Lot 3 on SP181657 (356 hectares) – Trustee: Hinchinbrook Shire Council
- Lot 4 on SP181657 (approx. 0.13 hectare) – Trustee: Australian Maritime Safety Authority
- Lot 22 on CWL806711 (approx. 0.4 hectare) – Residential – Registered Lessee: Sunny Days (Qld) Pty Ltd

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## DEPARTMENT OF ENVIRONMENT AND HERITAGE PROTECTION

## RESPONSE TO MINISTER'S OFFICE REQUEST

REQUEST DATE: 8/08/2016

SUBJECT: INTRODUCTION OF DINGOES TO PELORUS ISLAND FOR GOAT CONTROL

## QUESTION/S:

1. *How will threatened species use Pelorus Island – for example, whether for feeding or nesting – and what potential impacts may be posed to these species from the introduction of the dingoes.*

## RESPONSE:

2. Dingoes are not known to have occurred on Pelorus Island historically, thus they are not a natural part of this island ecosystem and will likely have a detrimental impact on the species occurring there. The extent of these impacts is hard to exactly determine, however of the nine bird species identified as occurring on the island:
3. The beach stone-curlew (vulnerable) and orange-footed scrubfowl (least concern) breed on the island and are expected to be predated by dingoes at all life stages.
4. The seabird species that occur on the island do not breed there so are less likely to be impacted, although adults may be susceptible to disturbance and some predation by dingoes while roosting.
5. White-bellied sea-eagle and sulphur crested cockatoo are listed as least concern and breed on the island. However, they nest in trees so they are unlikely to be predated directly. However, dingoes may negatively impact white-bellied sea-eagles through direct competition for food.

## CONSULTATION:

6. N/A

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*Please delete box if N/A*

|                                                                                                                                   |                                                                                                                                        |                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>Author</b><br>Name: Richard Seaton<br>Position: Principal Conservation Officer<br>Tel No: 3330 5868<br>Date Drafted: 8/08/2016 | <b>Branch Endorsement</b><br>Name: <u>Rebecca Williams</u><br>Position: <u>A/ED, NCS</u><br>Tel No: <u>3330 5512</u><br>Date Endorsed: | <b>Division Endorsement</b><br>Name: <u>Maria Mohr</u><br>Position: <u>DDG, CSS</u><br>Tel No: <u>3330 5017</u><br>Date Endorsed: |
|-----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|

## HUGHES Martyn

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**From:** DEVERY Michael  
**Sent:** Tuesday, 22 November 2016 9:08 AM  
**To:** HUGHES Martyn  
**Subject:** FW: Pelorus Island dingoes

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**From:** SEATON Richard  
**Sent:** Tuesday, 9 August 2016 8:10 AM  
**To:** DEVERY Michael <Michael.Devery@ehp.qld.gov.au>  
**Subject:** Pelorus Island dingoes

CTS No. 18724/16

### DEPARTMENT OF ENVIRONMENT AND HERITAGE PROTECTION

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#### CONSULTATION:

6. N/A



**Dr Richard Seaton**  
Principal Conservation Officer  
Threatened Species Unit  
Department of Environment and Heritage Protection

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