Operational policy

Queensland Parks and Wildlife Service and Partnerships

Management of marine protected animal strandings

Operational policies provide a framework for consistent application and interpretation of legislation and for the management of non-legislative matters by the Department of Environment and Science (DES). Operational policies are not intended to be applied inflexibly in all circumstances. Individual circumstances may require a modified application of policy.

Contents

Policy subject

The role of the Queensland Parks and Wildlife Service and Partnerships (QPWS&P) of the Department of Environment and Science (DES) in responding to stranded marine protected animals[1] in State Coastal waters, foreshores and islands **outside of the protected area estate**[2].

Purpose

This policy documents the expected role and responses of DES to specific types of strandings of marine protected animals occurring outside the protected area estate.

Background

Community expectations

The public has a strong interest and care for protected marine animals, particularly marine mammals. This interest and care is particularly sparked when these animals strand. As a result there is a very strong community expectation that efforts will be taken to return marine animals to sea, or rehabilitate them where possible. This is not always possible or desirable, given that (for example) marine animals sicken and die at sea as part of natural processes in the wild.

Marine protected animals hold cultural significance for some Aboriginal and Torres Strait Islander peoples and First Nations People may have a special interest in how particular stranded/entangled marine animals are dealt with.

Jurisdiction

Queensland waters extend to three nautical miles offshore from the low tide line surrounding the mainland coast and islands and, in some cases, extend further offshore to encompass some bays. Beyond this point Commonwealth legislation applies and legal responsibility for protected animals is vested with the Commonwealth Government.

In Queensland waters all whales, dolphins, dugong, seals, sea lions, marine turtles and threatened sharks are protected under the provisions of the *Nature Conservation Act 1992* (Qld) and relevant subordinate legislation.

Within Queensland Marine Parks marine protected animals are managed under the *Marine Parks Act 2004* (Qld). In the Great Barrier Reef Marine Park, marine protected animals receive additional protection under the *Great Barrier Reef Marine Parks Act 1975* (Cth), administered by the Great Barrier Reef Marine Park Authority (GBRMPA).

Where a coastal foreshore is managed as part of protected area under the Nature Conservation (Protected Areas Management) Regulation 2017 (e.g. a national park or other protected area) responsibility for all wildlife, including stranded marine protected animals rests with DES. As a result QPWS&P is only responsible for the management of marine animals in state waters outside of the protected area estate.

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[1] Marine protected animal means any species of whale, dolphin, dugong, seal or sea turtle.

[2] The protected area estate includes marine protected areas, the Great Barrier Reef Marine Park, and terrestrial protected areas where foreshore areas are managed under the Nature Conservation (Protected Areas Management) Regulation 2017.

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Partners and Community groups.

Under long-standing administrative arrangements, the Queensland Department of Agriculture and Fisheries (DAF) has taken responsibility for responding to various marine animals incidentally caught by equipment such as shark nets and baited drum-lines deployed under the DAF Shark Control Program.

Further, DES and DAF have a partnership arrangement that includes fee for service assistance from DAF in disentangling animals caught in those nets, ropes and other items that have not been deployed under the DAF Shark Control Program, as well as more general assistance where possible and appropriate. QPWS&P also provides staff to be trained to assist DAF in disentangling activities where appropriate.

Under section 55 of the Nature Conservation (Animals) Regulation 2020 the general public have the authority to attend to sick/injured marine animals. In Southern Queensland there are number of large and small wildlife organisations that are capable of attending marine animal strandings, either to support QPWS&P personnel, or to manage the situation in their own right in some circumstances. These organisations make invaluable contributions to the managing marine strandings.

Local Governments are also interested parties in marine strandings. They are generally the managers of the beach/foreshore areas and have responsibility for disposing of animal carcasses, including whale carcasses.

The Marine Wildlife Strandings and Mortality Database (StrandNet) records, and reports on, the distribution, frequency and causes of mortality for whales, dolphins, seals, dugongs and marine turtles in Queensland.

Incident Control System

QPWS&P live marine animal strandings response will operate within an Incident Control System (ICS) which is based on the Australian Inter-service Incident Management System (AIIMS). A QPWS&P incident controller (IC) will be appointed for events which QPWS&P manages.

Policy statement

QPWS&P response will involve one or more of a range of considered actions, from the deployment of QPWS&P resources to an incident site, to referral to DAF or another organisation for action, to a decision to take no direct action.

QPWS&P's response to strandings is designed to vary based on a number of factors, but primarily depending on the conservation status of the species and the capacity of community and partner organisations to independently manage some strandings. In addition, the relative lack of knowledge about some marine animal species may prompt an on-site response in order to aid better understanding, for example, to collect museum specimens or tissue samples.

The purpose of QPWS&P marine stranding responses is to:

- support the conservation of marine protected animals by returning animals to the sea, or facilitating rescue and rehabilitating where feasible, including by supporting other organisations to conduct rescues.

- treat stranded live animals expeditiously and humanely to minimise their suffering, including by euthanising animals where appropriate.

- manage public expectations during an event and ensure personnel and public safety are not compromised.

- ensure that management of strandings is culturally sensitive to Aboriginal and Torres Strait Islander peoples.

- improve the understanding of the threats and risks to marine species through the collection and recording of data obtained from stranding events, where feasible.

This will be achieved by:

- QPWS&P assessing and responding to reports of stranded marine protected animals in Queensland Coastal waters, foreshores and islands outside of the protected area estate in accordance with the provisions and appendices of this policy.

- Where appropriate, taking lead responsibility for marine protected animal incident responses when a stranding event that is not associated with the DAF Shark Control Program occurs.

- Working in partnership with DAF in their role of dealing with marine protected animal incidents associated with the Shark Control Program.

- Engaging with other organisations involved in coastal and marine protected animal management to support their efforts in stranding management, rescue and rehabilitation.

- Referring information to a relevant authority for investigation and any necessary action where unlawful activity may be associated with a marine protected animal incident or stranding.

Indigenous consultation

QPWS&P personnel will take all reasonable and practicable measures to ensure departmental activities do not harm Aboriginal or Torres Strait Islander cultural heritage or offend cultural protocol. Consultation with the relevant

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Aboriginal or Torres Strait Islander party (or parties) in an incident or stranding event may be necessary if there is a tangible risk that response activity may harm Aboriginal or Torres Strait Islander cultural heritage or cultural protocols.

In any incident or stranding event, the IC will be responsible for ensuring that appropriate consultation with the relevant Aboriginal or Torres Strait Islander party (or parties) is undertaken. Following that consultation, QPWS&P will offer advice to local governments and arrange any necessary approvals to effect the removal and disposal of any dead marine protected animal.

Response and Intervention

It is not a realistic aim for QPWS&P personnel to attend every sighting/notification of a marine incident or stranding within its jurisdiction. Even when personnel are dispatched, a return to the sea/estuary or rescue is not a realistic option in all cases, regardless of the available resources. In particular, animals larger than 10m are considered too large to successfully rescue from beach locations and will either be provided with palliative care or humane euthanasia depending on the size of the animal. Some animals are too big to humanely euthanize.

The type of response that is expected to occur for a marine protected animal incident can be found in Appendices 1 & 2 of this document. Appendix 1 outlines the response type and Appendix 2 outlines when and how QPWS&P/DAF will respond in a range of stranding scenarios. The prioritisation of effort is based on when and where an animal strands, the conservation status of the species, the stranding rarity of the species, the condition of the animal, and the feasibility of various options for rescue/rehabilitation based on the size of the animal.

Euthanasia

If animals cannot be returned to sea, or rescued QPWS&P's primary aim should be to avoid/reduce unnecessary suffering and to avoid a drawn out incident.

Animals that are deemed by veterinarians or recognised experts to be unrecoverable, or unable to live independently once rescued (dependent calves with the mother no longer present) will be euthanized wherever possible.

QPWS&P supports the following methods of euthanasia:

- For animals under 9m, shooting is considered the quickest and thus the most humane form of euthanasia.

- For animals over 9m, chemical euthanasia may be used on animals that are in circumstances unsuitable for shooting, or too large for shooting.

- For very large animals that are too big shooting or chemical euthanasia, the setting of shape charges to achieve immediate lethal implosion will be considered where operationally feasible, and where prolonged suffering before death is assessed to be the only other outcome.

Palliative Care

Animals that are beached that cannot be rescued or euthanized (generally larger whales) will be kept as comfortable as possible until the animal dies of natural causes. Public interference with a dying animal will be managed and the animal will be kept cool, and as comfortable as possible.

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Animals that are sick, injured or in distress whilst still in the sea will be watched. There are many risks involved in dealing with distressed and unpredictable animals in the water and it is considered too high a risk to attempt to treat or euthanize an animal at sea. Assistance will be provided if and when the animal beaches. An exclusion zone will be established and maintained to reduce public access.

Reference materials

Definitions

For the purposes of this operational policy -

Incident Control System (ICS) is a command structure to systematically and logically manage emergency incidents. It is designed to develop in modular fashion from the top (Incident Controller (IC)) downward.

Marine protected animal means any species of whale, dolphin, dugong, seal or sea turtle.

Mass stranding means the simultaneous stranding of two or more marine protected animals at a single location.

Personnel means QPWS&P staff and personnel from partnership organisations (including partner volunteer organisations) who contribute to a marine strandings response.

Response means the collective actions involved to locate, assess and determine a course of action for a stranded marine protected animal, and to carry out action as deemed appropriate. An appropriate "response" may range from a return phone call to the person initially reporting the incident, to an immediate dispatch of personnel and equipment to return an animal to open water.

Stranding means:

- An interaction between a marine protected animal and a landmass, an impounded water body, a vessel, net or other entangling object which significantly reduces the animal's ability to survive in its natural habitat. Disease may be implicated in any of these circumstances; or

- An incident in which a sick, injured or dead marine protected animal is found on land or in waters adjacent to land.

Text references

Incident Control System, the Operating System of AIIMS, Australian Inter-Service Incident Management System, 2nd Edition, 1994, published by the Australian Fire Authorities Council Limited.

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Legislative authorities

- *Nature Conservation Act 1992*

- *Marine Parks Act 2004*

- *Great Barrier Reef Marine Parks Act 1975*

- Nature Conservation (Animals) Regulation 2020

Further Information

Appendix 1: Response types and target levels

A response to a marine protected animal incident will be classed as a high level, low level or nil response. The appropriate response is dependent on the area in which the stranding occurs, known threatening processes, status of the species, staff and/or volunteer availability, the site accessibility and any necessary compliance action.

High level response:

A high level response is a response level involving immediate dispatch of appropriate personnel (which could include the call out of off-duty QPWS&P staff).The required outcome is a reliable judgement to formulate further appropriate actions, for example:

- the implementation of rescue procedures

- carcass assessment to reliably determine the cause of death

Low level response:

For the purposes of the response strategy, reporting through telephone RSPCA 1300 ANIMAL meets the requirements for the low response level. In some cases where there are appropriate currently available personnel or volunteers, these may be deployed by QPWS&P for the purpose of field examination of an incident report. A low level response will not prompt the call-out of off duty QPWS&P personnel.

Nil Response:

After reports have been assessed, a nil response may be appropriate due to operational feasibility, the potential value of information likely to be recovered, or limitations of the initial report (for example, the report appears inaccurate or cannot be verified). Information about the stranding that does not require a site visit must still be entered into StrandNet.

Response of partners and community groups:

Where a stranding is already being attended and managed by a wildlife organisation, QPWS&P may choose not to respond to the stranding in person, taking into consideration whether the organisation involved has the necessary skills and resources to manage the situation, including managing public access/safety.

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QPWS&P target response levels

Common name	Scientific name	Target response level for live animal	Target response level for dead animal
Large whales			
Humpback whale	*Megaptera novaeangliae*	High	Low
Fin whale	*Balaenoptera physalus*	High	Low
Sperm whale	*Physeter macrocephalus*	High	Low
Blue whale	*Balaenoptera musculus*	High	Low
Sei whale	*Balaenoptera borealis*	High	Low
Southern right whale	*Eubalaena australis*	High	Low
Bryde's whale	*Balaenoptera edeni*	High	Low
Dwarf Minke whale	*Balaenoptera acutorostrata*	High	Low
Beaked whales	Mesoplodon spp. And Ziphius cavirostris	High	Low
Small whales			
Killer whale	*Orcinus orca*	High	Low
False killer whale	*Pseudorca crassidens*	High	Low
Pygmy killer whale	*Feresa attenuata*	High	Low
Pygmy sperm whale	*Kogia breviceps*	High	Low
Short finned pilot whale	*Globicephala macrorhynchus*	High	Low
Long finned pilot whale	*Globicephala melas*	High	Low
Melon headed whale	*Peponocephala electra*	High	Low
Dolphins			
Australian snubfin dolphin	*Orcaella heinsohni*	High	High[3]
Common bottlenose dolphin	*Tursiops truncates*	Low	Nil
Indo-Pacific bottlenose dolphin	*Tursiops aduncas*	Low	Nil
Short-beaked common dolphin	*Delphinus delphis*	Low	Nil

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[3] Specimen collection of poorly understood/rare species.

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Common name	Scientific name	Target response level for live animal	Target response level for dead animal
Long-beaked common dolphin	*Delphinus capensis*	Low	Nil
Spinner dolphin	*Stenella longirostris*	Low	Nil
Striped dolphin	*Stenella coeruleoalba*	Low	Nil
(Pantropical) spotted dolphin	*Stenella attenuate*	Low	Nil
Fraser's dolphin	*Lagenodelphis hosei*	Low	Nil
Rough-toothed dolphin	*Steno bradanensis*	Low	Nil
Australian humpback dolphin	*Sousa sahulensis*	High	High[4]
Risso's dolphin	*Grampus griseus*	Low	Nil
Dusky dolphin	*Lagenorynchus obscurus*	Low	Nil
Multiple dolphins	*Any species*	High	High
Dugong			
Dugong	*Dugong dugon*	High	Low
Turtles			
Pacific (Olive) ridley	*Lepidochelys olivacea*	High	High[4]
Green turtle	*Chelonia mydas*	Low	Nil
Loggerhead turtle	*Caretta caretta*	High	High[4]
Hawksbill turtle	*Eretmochelys imbricata*	Low	Nil
Leatherback turtle	*Dermochelys coriacea*	High	High[4]
Flatback turtle	*Natator depressus*	Low	Low
Seals			
Leopard seal	*Hydruga leptonyx*	Low	Nil
New Zealand fur seal	*Arctocephalus forsteri*	Low	Nil
Sub-antarctic fur-seal	*Arctocephalus tropicalis*	High	High[4]
Australian sea-lion	*Neophoca cinerea*	Low	Nil
Australian fur-seal	*Arctocephalus pusillus doriferus*	Low	Nil

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[4] Specimen collection of poorly understood/rare species

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Appendix 2: Scenarios for high response levels for stranded marine animals

Animal	Incident type	Animal condition	Objective	Key messaging
Whales				
Stranded whale 5-10m	*Stranded on shoreline*	Good condition – independent	Rescue and return to sea if operationally feasible	Animal is healthy Rescue will be attempted but large animal rescues are dangerous and may, in any event, not succeed
		Poor condition - nutrition	Euthanasia	Animal is unhealthy and can't be assisted. Best approach is to focus on welfare and limiting suffering
		Not independent and abandoned by parent	Euthanasia	Animal is not able to live independently without parent. Parent not in the area. Welfare outcome primary importance
		Not independent but parent in area	Rescue and return to sea	Animal is healthy Rescue will be attempted but large animal rescues are dangerous and may, in any event, not succeed Animal may not link up with parent
Stranded whale over 10m	*Stranded on shoreline*	Good or poor condition, or injured	Euthanize if possible, otherwise provide palliative care	Animal is too large to rescue or place in rehabilitation. Euthanasia will be employed as the best welfare outcome if possible. If animal is too large for euthanasia, the animal will be allowed to die naturally and kept as comfortable as possible whilst it does so.
Multiple stranded whales	*Two or more animals on the shoreline*	Varying conditions	Triage and rescue and return to sea those animals most likely to be successfully	Animals will be assessed on condition. As many healthy animals will be returned to the sea as is feasible.

Animal	Incident type	Animal condition	Objective	Key messaging
			rescued	Compromised, ill, injured or large animals will be euthanized if possible or provided with palliative care.
Injured whale at sea	*Distressed whale at sea, in estuary or close to shoreline*	Boat strike, other injury not related to condition	Watch and wait - if animal beaches, respond as per another appropriate scenario in this table	There is nothing that can be done for the animal whilst in the water. Towing live distressed whales is too dangerous. Assessing or treating the animal in the water is too dangerous. Euthanasia of the animal in the water is not possible for safety reasons If the animal beaches in a suitable location, an attempt will be made to rescue the animal and place in rehabilitation if operationally feasible
Poor condition whale at sea	*Distressed whale at sea, in estuary or close to shoreline*	*Poor condition (nutrition), lice covered, compromised*	Watch and wait – if animal beaches, euthanize.	There is nothing that can be done for the animal whilst in the water. Towing live distressed whales is too dangerous. Assessing or treating the animal in the water is too dangerous. Euthanasia of the animal in the water is not possible for safety reasons
Orphaned young at sea	*Orphaned whale calf at sea in close proximity to human settlement*	Not able to live independently and parent not in the vicinity	Euthanize if able to get the animal to a suitable location	There is nothing that can be done for the animal. The distress experienced by orphaned calves and the general public is too great to watch and wait for the animal to beach. An attempt will be made to beach the animal or euthanize at sea.

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Animal	Incident type	Animal condition	Objective	Key messaging
Entangled whale	*Whale entangled in Shark Protection Program infrastructure*	Any condition animal	Refer to DAF disentanglement teams	As per DAF disentanglement policy
	Whale entangled in other fishing or boating infrastructure	Any condition animal	Subcontract to DAF disentanglement teams	As per DAF disentanglement policy
Dolphins				
Stranded dolphin	*Dolphin on the shoreline*	Good condition animal	Rescue and return to sea	Animal is healthy Rescue will be attempted Rescue attempts are dangerous and may not succeed
		Poor condition animal	Consider for rehabilitation, if not available – euthanize	Animal is in poor condition. Rehabilitation will be investigated. If rehabilitation not possible or likely to succeed – euthanize.
Multiple stranded dolphins	*Multiple animals on the shoreline*	Varying condition	Triage and rescue those most likely to recover and euthanize or seek rehabilitation locations for remainder	Animals will be assessed on condition. As many healthy animals will be returned to the sea as possible. Compromised, ill or injured animals will be euthanized if possible or provided with palliative care.
Entangled dolphin	*Dolphin entangled in Shark Protection Program infrastructure*	Any condition animal	Refer to DAF disentanglement teams	As per DAF disentanglement policy
	Dolphin entangled in other fishing or	Any condition animal	Subcontract to DAF disentanglement	As per DAF disentanglement policy

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Animal	Incident type	Animal condition	Objective	Key messaging
	infrastructure		teams	
	Dolphin/s which have moved up through estuary systems and been isolated by falling tides or canal infrastructure	Any condition animal	Assess the situation for food resources and likelihood of animals moving out to sea naturally. A hands-off approach is favoured. If animals are assessed as requiring assistance, attempts can be made to herd or beach the animals so they can be returned to the sea. Dredge or remove obstacles if required.	Animals often move up into estuary systems naturally The best approach is to leave animals to find their own way out Herding or capturing animals has a high level of risk for the animals. If possible, physical barriers will be removed.
Dugong				
Stranded dugong/s	*Dugong on the shoreline*	Good condition animal	Rescue and return to sea.	Dugongs rarely strand and healthy dugongs are unlikely to do so unless an external factor is at play, for example storm surge, chased by predator. Every attempt will be made to rescue the animal and return it to the sea.
		Poor condition animal	Euthanize or provide palliative care	A dugong rarely strands and a healthy dugong is unlikely to do so. The animal is in poor condition and welfare is the primary consideration

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Animal	Incident type	Animal condition	Objective	Key messaging
Entangled dugong	*Dugong entangled in Shark Protection Program infrastructure*	Any condition animal	Refer to DAF disentanglement teams	As per DAF disentanglement policy
	Dugong entangled in other fishing or boating infrastructure	Any condition animal	Subcontract to DAF disentanglement teams	As per DAF disentanglement policy
Seal (high priority species only)				
Stranded seal	*Seal on the shoreline*	Good condition animal	Leave the animal alone	Seals are the only marine mammal likely to 'strand' and leave beaches at free will.
		Poor condition animal	Seek suitably experienced advice	Even apparently sick or injured individuals may inflict severe injuries to untrained personnel. A seal should not be approached unless accompanied by an experienced person – Sea World, Underwater World, Taronga Zoo in Sydney, or similar will be contacted for advice.
Entangled seal	*Seal entangled in Shark Protection Program*	Any condition animal	Refer to DAF disentanglement teams	As per DAF disentanglement policy
	Seal entangled in other fishing or boating infrastructure	Any condition animal	Subcontract to DAF disentanglement teams	As per DAF disentanglement policy
Turtle (high priority species only)				
Stranded turtle	*Turtle on the shoreline*	Good condition animal	Tag and measure only, if feasible	Not all stranded turtles are sick or injured and require treatment. Turtles may choose to 'bask' on inter-tidal areas for a variety of reasons. These turtles will be left relatively undisturbed (tagged if feasible).

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Animal	Incident type	Animal condition	Objective	Key messaging
		Poor condition animal	Consider for rehabilitation, if not available – euthanize	Animal is in poor condition. Rehabilitation will be investigated. If rehabilitation not possible or likely to succeed - euthanize
Entangle d turtle	*Turtle entangled in Shark Protection Program infrastructur*	Any condition animal	Refer to DAF disentanglement teams	As per DAF disentanglement policy
	Turtle entangled in other fishing or boating infrastructure	Any condition animal	Subcontract to DAF disentanglement teams	As per DAF disentanglement policy

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Disclaimer

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Approval

Kirstin Kenyon	

K. J. Kenyon   Signature   Date 10.9.2020

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Human Rights Compatibility

The Department of Environment and Science is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When acting or making a decision under this code of practice, officers must comply with that obligation (refer to Comply with Human Rights Act).