

# Compliance plan

## Wildlife Management

### Crocodile commercial activity compliance plan

#### Objective

This compliance plan aims to develop a standardised approach to compliance for each of Queensland's crocodile farms and commercial egg harvesting operations, in order to fulfil the Department of Environment and Science's (DES) reporting obligations to the Australian Government and to achieve a high level of compliance for these licensed activities.

This compliance plan is consistent with the [Departmental Regulatory Strategy](https://www.ehp.qld.gov.au/management/env-policy-legislation/regulatory-strategy/) < <https://www.ehp.qld.gov.au/management/env-policy-legislation/regulatory-strategy/> >.

The approach to ensuring compliance with legislation is to:

- educate individuals, industry and governments about the laws and how to comply and to encourage voluntary compliance with obligations
- monitor compliance
- respond to potential breaches of the legislation with consistent and proportionate enforcement action.

These activities can happen in two ways—they can be reactive, in response to a complaint or incident, or they can be proactive.

The compliance plan meets DES' obligations under both the:

- *Nature Conservation Act 1992* (NCA) (with respect to the protection and management of wildlife). Wildlife Farming Licences and Commercial Wildlife Harvesting Licences are issued under section 149 of the *Nature Conservation (Animals) Regulation 2020*, and
- Wildlife Trade Management Plan – Queensland Crocodile Farming (2018-2022), under the (Commonwealth) *Environment Protection and Biodiversity Conservation Act 1999*.

#### Background and general licence holder requirements

Under section 4 of this compliance plan, DES is required to submit an annual report to the Australian Government. This requires the collection of information from crocodile farms, and in areas subject to egg harvesting both annual crocodile population monitoring and nest surveys.

Under section 165 of the *Nature Conservation (Animals) Regulation 2020*, all Queensland crocodile farm licence holders are required to submit annual returns of operation within 10 business days of the anniversary date of the Wildlife Farming Licence issued under section 149 of the *Nature Conservation (Animals) Regulation 2020*.

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All Queensland crocodile farm owner are required to submit an annual farming statement, providing data for the calendar year, by 31 March the following year, as a condition of their Wildlife Farming Licence issued under section 149 of the Nature Conservation (Animals) Regulation 2020.

The movement of live crocodiles and eggs to and from licensed farms or zoos from within Queensland or from interstate is subject to the provisions of a wildlife movement advice or wildlife movement permit issued under the NCA.

The movement of an appropriately tagged whole skin into, within or out of Queensland requires a wildlife movement permit or wildlife movement advice issued under the NCA unless accompanied with a Convention on International Trade in Endangered Species (CITES) export permit issued by the Australian CITES Management Authority.

DES monitors the import of live crocodiles and eggs to Queensland crocodile farms by reviewing movement permits and advices and annual farming statements. DES also conducts inspections of crocodile farms and harvesting activities in response to any compliance information that may require further investigation, or for permit assessment purposes, such as inspections of new holding facilities.

The Wildlife Trade Management Plan requires annual monitoring of the local crocodile population to be conducted in areas subject to licensed estuarine crocodile egg harvesting.

Holders of a commercial wildlife harvesting licence for egg harvesting are required to provide annual nest monitoring data – including information on where nests are detected, how many eggs were collected from each nest, and information on how many of those eggs were viable at the time they were sold or given away.

In 2021, DES issued Pomppuraaw Aboriginal Shire Council (PASC) the first Commercial Wildlife Harvesting Licence for egg harvesting under section 128(1)(b) of the Nature Conservation (Animals) Regulation 2020 and section 34 of the Nature Conservation (Estuarine Crocodile) Conservation Plan 2018. That permit (which has since expired) authorised PASC to take a limited number of estuarine crocodile eggs from specific waterways in its local government area over the summer breeding season.

## **Governance**

The DES Permits Management Unit within the Queensland Parks and Wildlife Services and Partnerships (QPWS&P) Division is responsible for assessing licence applications for crocodile farming and egg harvesting and the issuing of licences. The DES Northern Wildlife Operations Team within the QPWS&P Division is responsible for implementation of the compliance components of this plan and the DES Connect system is used to administer farming and harvesting licences and activities. The introduction of electronic application forms and electronic returns has helped improve information management for both the customers and DES.

## **Returns of operation and movement permits/advices**

The holder of a Wildlife Farming Licence must maintain records in an approved form and submit data annually based on a calendar year reporting period. All Returns of Operation are assessed as per the Standard Operating Procedure - Returns of Operation. Movement advices (for Wildlife Farming Licences issues before 22 August 2020) and movement permits are checked during farm inspections and data compared with the annual farming statement. Any anomalies are investigated.

Correspondence will occur with all farm owners that have not submitted their return of operations by the due date. This will be handled in the same manner as the Scientific Purposes Permit returns with an escalation in the event of continuing non-compliance.

Crocodile egg harvesting licence holders are required to complete the estuarine crocodile egg harvesting record book, and submit a signed and dated copy to DES no later than 30 business days after the last transaction for the harvest period or licence expiry (whichever is earlier). Once submitted to the department, the approved form is a properly completed return of operations.

### **Farm inspections/audits**

A sample of farms will be inspected each year. This sample will be determined using a compliance prioritisation model based on an indication of risk, including:

- farms that had been identified as having matters of concern in a previous audit
- farms that may have been reported by members of the public or other government departments
- open-source data, such as newspaper articles or reports from the public, and
- the time since the last audit.

Consistent with the Regulatory Framework and Enforcement Strategy, if animal care issues or environmental harm issues are identified during an audit, a notification will be provided to the Department of Agriculture and Fisheries (DAF) and considered within DES to determine if compliance action is required.

### **Egg harvest monitoring and audits**

To monitor crocodile egg harvesting in Queensland, DES will:

- conduct annual monitoring of the local crocodile population in waterways subject to egg harvesting to ensure harvesting is not causing detriment to that population
- review data from licence holders on the harvest (including the location and numbers of eggs and nests), the movement, and the sale/giving away of all crocodile eggs

### **Identification of non-compliance by crocodile farms operators and egg harvesters**

If any non-compliances were identified, the DES [Enforcement guidelines \(PDF, 360KB\)](#) would be used to guide decision-making on the need for compliance action, to ensure those decisions were impartial, based on the best available evidence, and properly consider the public interest.

