

Compliance plan

Wildlife Management

Crocodile commercial activity compliance plan 2018

Objective

This plan aims to develop a standardised compliance program for all Queensland 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 licenced activities.

This compliance plan will be 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 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 was developed in order to meet DES's obligations under 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 11 of the Nature Conservation (Administration) Regulation 2017.
- *Environment Protection and Biodiversity Conservation Act 1999*, Wildlife Trade Management Plan – Queensland Crocodile Farming (2018-2023) (WTMP). Under section 4 of this 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.

The plan will result in a consistent approach to the compliance of crocodile farms across regions and egg harvesting operations, and promote consistency with the departmental regulatory strategy.

Background and general licensee requirements

Under section 165 of the Nature Conservation (Wildlife Management) Regulation 2006, all Queensland crocodile farms are required to submit an annual returns of operation within 10 business days of the anniversary date of the Wildlife Farming Licence issued under section 11 of the Nature Conservation (Administration) Regulation 2017.

All Queensland crocodile farms are also required to submit an annual farming statement providing data based on a calendar year by 31 March each year as a condition of their Wildlife Farming Licence issued under section 11 of the Nature Conservation (Administration) Regulation 2017.

The movement of live crocodiles including eggs to and from licenced 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.

Movement Advices and annual farming statements are currently the only way for the department to monitor the import of live crocodiles or eggs to Queensland crocodile farms.

Inspections of crocodile farms and harvesting activities are undertaken by DES in response to any compliance information that may require further investigation, or for permit assessment purposes such as inspections of new holding facilities.

The WTMP requires annual monitoring of the local crocodile population to be conducted in areas subject to licenced crocodile egg harvesting.

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

Governance

The Director, Northern Wildlife Operations is responsible for the implementation of the plan. The Conservation and Biodiversity Operations (CBO) Branch will provide coordination of the overarching activities with Regional Managers providing operational coordination.

The Connect system will enable improved administration. The electronic lodgement of application forms and electronic returns will also improve information management for both the customer and EHP.

The compliance program will be maintained by CBO Branch on the Wildlife SharePoint site using the Crocodile Farm Compliance Spreadsheet.

Industry consultation through correspondence will take place prior to any changes in order for farms to be made aware of their obligations. This will be coordinated by the CBO Branch.

Wildlife farming licences

There are currently nine licenced crocodile farming facilities (Wildlife Farming Licence – Crocodile Farming).

#	Permit number	Name	Address
1	WIWF17702916	Hartleys Creek Crocodile Farming Company Pty Ltd	Hartleys Crocodile Adventures, Lot 10 Cook Highway, Wangetti (Cairns) Qld 4877 and 6 Spoto Street, Woree Qld 4868
2	WIWF17741616	Farmmont Pty. Limited	Koorana Crocodile Farm, 65 Savages Road, Coowonga Qld 4702

#	Permit number	Name	Address
3	WIWF17857516	Paradise Holdings NQ Pty Ltd	Edward River Crocodile Farm, Marranthan Street, Pormpuraaw Qld 4871
4	WIWF17372416	Crocpac Pty Ltd	Cairns Crocodile Farm, Redbank Road, Gordonvale Qld 4865
5	WA0008463	Aquafarm Pty Ltd	64 Silkjar Street, Balgal Beach Qld 4816
6	WIWF17155716	HL Australia Proprietary Limited	Johnstone River Crocodile Farm, 281 Flying Fish Point Road, Innisfail Qld 4860
7	WA0003343	Pellehari Pty Ltd	467 Bentley Drive, Nome Qld 4816
8	WIWF16963416	Clay Boaz Bartlett	Harvest Home Station, 4684 Mulligan Highway, Via Cooktown Qld 4871
9	WA0004351	NB2 Farming Ltd	51-53 Front St, Mossman Qld 4873

Commercial wildlife harvesting licences

There are currently no licenced estuarine crocodile egg harvesting operations (Commercial Wildlife Harvesting Licence – Estuarine crocodile eggs)¹.

Returns of operation and movement 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 SOP Returns of Operation. Movement advices are sighted during farm inspections and data compared with the annual farming statement, any apparent anomalies are investigated.

Correspondence will occur with all farms 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 reports or legal cases involving the legal entity, and

¹ It is expected that Pormpuraaw Aboriginal Shire council will apply for a licence in late 2018, which will be considered by the Chief Executive.

- 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) or the appropriate division of DES for them to consider for further action.

Egg harvest monitoring and audits

To monitor 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 the local crocodile population
- will collect 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
- may conduct random audits of egg harvesting activities and nest monitoring records
- may undertake random audits at licenced facilities to compare egg numbers held in comparison to egg numbers recorded
- may inspect a selection of permit holders at random intervals during the egg collection season
- will investigate any anomalies in egg numbers.

Identification of non-compliance

If an inspection identifies a non-compliance issue the appropriate decision making officer should use the DES document [Administrative decision-making in response to non-compliance](http://portal:6004/sites/PR/Register/Business/EHP/ESR/Compliance%20Support/cm-pg-admin-decision-making.pdf) < <http://portal:6004/sites/PR/Register/Business/EHP/ESR/Compliance%20Support/cm-pg-admin-decision-making.pdf> > in order to assess the information and make the decision. Particular attention should be made to ensuring the opportunity for natural justice has been considered.

Cooperation with Northern Territory

It is proposed that DES approach the Northern Territory Government to discuss the opportunity to facilitate the sharing of movement advices when crocodiles are moved between jurisdictions. This will provide the capacity for DES, on receipt of wildlife from the Northern Territory, to audit the information that is provided by farms as part of their return of operations. Information sharing will need to take into consideration the management of any information that is commercial-in-confidence. Arrangements for cooperation will be discussed over the next 12 months.