

Crocodile Control and Conservation Bill 2024

Explanatory Notes

Short title

The short title of the Bill is the Crocodile Control and Conservation Bill 2024.

Policy objectives and the reasons for them

The Crocodile Control and Conservation Bill 2024 has multiple policy objectives. The Bill places greater value on human life by responsibly reducing the risk of crocodile attacks as much as possible. It aims to eliminate from our waterways any crocodiles that pose a threat to human life, while continuing to protect crocodiles from becoming extinct as a species.

The policy of prioritising human life over that of crocodiles came about in response to calls from North Queenslanders for action in response to an increasing crocodile population, increased sightings in populated communities and increased crocodile attacks.

Communities across North Queensland are consistently reporting significant increases in crocodile numbers.

Waterways which people previously regularly swam in, are now infested with crocodiles.

According to data from the Queensland Department of Environment, Science and Innovation, there were 1,216 saltwater or estuarine crocodile sightings reported in 2023, beating the previous high of 1,185, set in 2021.

This is a huge increase on a decade ago, when there were just 336 sightings reported to the department.

A more effective crocodile management strategy is urgently required to reduce the risk to human life.

The increase in crocodile numbers not only endangers human lives, it adversely and significantly affects the way North Queenslanders live.

Many rowing and skiing clubs have closed their doors because crocodiles drove their members away. Life-saving nipper numbers have drastically dropped off, directly related to parent fears about the increase in crocodile sightings on North Queensland beaches.

Tourism businesses are feeling the effect of an increase in numbers which in turn increases the risks of operating their businesses.

The Crocodile Control and Conservation Bill 2024 would ensure that all crocodiles are immediately removed by an authorised person if located in a populated waterway.

The definition of populated waterways would be determined by the Queensland Crocodile Authority (QCA).

This removal may involve killing or relocating the crocodile to an authorised crocodile farm or crocodile sanctuary.

It would involve the removal of crocodiles immediately from urban or public areas commonly used by humans for recreation.

In unpopulated waterways, landowners, where waterways run through their properties will also be able to apply to the QCA to request for immediate removal of crocodiles by rangers or approved qualified persons.

If managed responsibly, crocodiles have the potential to be a great asset for Queensland, rather than just a danger to people.

As well as protecting human lives, the Crocodile Control and Conservation Bill 2024 aims to create a significant and sustainable crocodile industry in Queensland.

Currently, only 5,000 eggs are allowed to be harvested in Queensland under a ten-year pilot program, which ceases in 2028, as compared to 90,000 annually in the Northern Territory.

Evidence suggests egg harvesting can help sustain crocodile populations, rather than diminish them, and creates a huge economic opportunity, which is currently untapped in Queensland.

Indigenous landholders will likely see the value in crocodile eggs, and the income they can generate.

If there are crocodile eggs on their land, they can choose to leave the eggs, harvest the eggs and sell them, or have someone else pay to come onto their land and harvest them.

Significantly, the Crocodile Control and Conservation Bill 2024 will also give power to indigenous landholders to apply to manage crocodiles on their land.

Indigenous landholders have a connection with and understanding of the land and should be empowered to manage that land as they see fit.

This Bill allows them to apply to do that in relation to crocodiles.

This will empower indigenous landholders, by placing a value on crocodiles and thereby creating an unprecedented economic opportunity for these landholders.

Indigenous landowners will be empowered in regards to all aspects of crocodile management. If a crocodile is on their property, they may choose to;

- Have it relocated to a farm or crocodile sanctuary or;
- Let it remain on their property or;
- Choose for it to be euthanized, either;
 - They may do this themselves by shooting, harpooning or using traditional methods or;
 - Accept payment from a quota of “High End Clients” who wish to live harvest the crocodile.

By placing a value on crocodiles, indigenous landholders are unlikely to simply kill all of the crocodiles on their land, unless this is necessary for them to safely live and operate on that land.

Ultimately, people who live in North Queensland are best placed to manage crocodiles.

Achievement of policy objectives

The Bill achieves the policy objectives outlined above by creating the Queensland Crocodile Authority (QCA).

The Bill ensures the Queensland Crocodile Authority is based in Cairns, with all staff sourced regionally.

The Bill also creates an advisory committee to provide recommendations to the Queensland Crocodile Authority.

The committee is to be made up of people to provide a balanced management policy taking into account conservation of the crocodile population to ensure they don't become extinct, commercial opportunities and reducing the threat to humans in populated waterways.

It is important to ensure Queensland has the best possible advice on managing its crocodile population, while protecting Queenslanders and creating a crocodile industry that will financially benefit the state and its landholders for many years to come.

Under the Bill, the Queensland Crocodile Authority would be solely responsible for all aspects of crocodile management in Queensland, including:

- A complete review of the current Management Zones under the Queensland Crocodile Management Plan to implement a zero-tolerance zone to remove all crocodiles reported in areas deemed as populated waterways by killing them or moving them to an approved crocodile farm or sanctuary.
- Development of flexible policies on Crocodile management, through consultation with different individual Indigenous communities to deliver a specifically designed management program, considering cultural sensitivities;
- Increase current allowable egg harvesting limits which would be reviewed annually.
- Oversee egg harvesting permits with incentives specific to indigenous communities to set-up egg harvesting enterprises.
- Manage approvals and permits to allow traditional landowners to hunt or remove crocodiles on private land with the landholder's consent.
- To allow private landholders to contact the QCA to have crocodiles removed on their property.
- Conduct controlled annual crocodile removal programs along Queensland's populated east coast to constrain population growth and reduce crocodile numbers in populated regions.

Alternative ways of achieving policy objectives

Some views were expressed during consultation that no crocodiles should be killed or relocated.

This does not align with the policy objective of keeping humans safe from crocodiles.

Other views were expressed that the policy objective of keeping humans safe from crocodiles could be achieved by relocating any problem crocodiles to other locations.

However, a recent joint Department of Environment, Science and Innovation (DESI)-CSIRO study recently found Queensland crocodiles like to stay close to home with most remaining within 50km of where they hatched.

In fact, most crocodile parents and offspring in Queensland are found within 10km of each other.

While crocodiles are capable of moving anywhere along Queensland's coastline, the study also showed most of the 20,000 to 30,000-strong population were in the far north.

Almost 80 per cent of Queensland's crocodile population is located north of Cooktown and in the Gulf of Carpentaria in the far north.

Consultation with experts also suggested that crocodiles may become more dangerous once they have been relocated, therefore, crocodiles should only be relocated to crocodile farms, sanctuaries or properly managed reserves.

Consultation also revealed that because there are so many crocodiles that require removal to keep people safe, it is very unlikely there would be the desire from existing crocodile farms to house all of these crocodiles.

Based on extensive consultation and recent studies it is clear that a combination of killing and relocation to farms or sanctuaries is the best way to achieve the policy objective.

Estimated cost for government implementation

Costs associated with implementation of the Bill relate to the establishment and operation of the Queensland Crocodile Authority. These costs will be met from within existing departmental allocations.

Consistency with fundamental legislative principles

The Bill has been drafted with regard to the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992* and is consistent with fundamental legislative principles.

Consultation

Significant consultation has been undertaken ongoing, across several years in preparation of this Bill, including detailed engagement with affected communities through public forums and private engagement, along with recent studies. Other major Stakeholder groups consulted include:

- Indigenous groups;
- Local government;
- Crocodile experts;
- Professional & recreational fishing community and other community groups.

Consistency with legislation of other jurisdictions

This Bill creates a new Authority within the Department of Environment and Heritage Protection to enable several activities for the management of crocodiles in Queensland waterways. State based crocodile management frameworks exist in other states and territory's including some of the activities contemplated in this Bill.

There may be some areas of the Bill that may encroach on the commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

However, previous consultation with the commonwealth government Minister has indicated a willingness to consider mechanisms that will ensure no conflict between this Bill and the commonwealth Act exist.