

# **Wildlife Trade Management Plan – Queensland Crocodile Farming and Crocodile Egg Harvesting (2023-2028)**

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Prepared by: Wildlife and Threatened Species Operations Branch, Department of Environment and Science

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# 1. Introduction

## 1.1 Purpose and objectives

Crocodile farming in Queensland is predominantly based on the estuarine crocodile, *Crocodylus porosus*, with limited farming of freshwater crocodiles, *Crocodylus johnstoni*. Crocodile farming and crocodile egg harvesting in Queensland involves captive breeding, limited harvest of wild crocodile eggs, and the importing of eggs and young that have been legally harvested from the wild in the Northern Territory.

The purpose of this Wildlife Trade Management Plan – Queensland Crocodile Farming and Crocodile Egg Harvesting (2023-2028) (WTMP) is to outline the various activities in Queensland that involve the take, keep, use or movement of wild crocodiles associated with trade. The WTMP sets out the methods and safeguards to ensure that these activities will have no detrimental impact on wild crocodile populations, and specifically to fulfil the requirements for a WTMP under Part 13A, Section 303FO of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth) (EPBC Act) (see [Section 2.2](#)). The objectives sought are that:

1. Farming of estuarine and freshwater crocodiles in Queensland does not negatively impact the conservation of crocodiles in the wild in Queensland.
2. Harvesting of estuarine crocodile eggs does not negatively impact the conservation of crocodiles in the wild in Queensland.
3. Crocodiles are humanely treated in accordance with the current Code of Practice for the Humane Treatment of Wild and Farmed Australian Crocodiles (the Australian Code), and any subsequent revisions over the life of the WTMP.

This WTMP is supplementary to, and should be read in conjunction with, the [Nature Conservation \(Estuarine Crocodiles\) Conservation Plan 2018](#) and [Queensland Crocodile Management Plan](#).

This WTMP is valid for a maximum of five years from the date after registration on the Federal Register of Legislation.

## 1.2 Background

Estuarine crocodiles (*Crocodylus porosus*) inhabit coastal areas of Northern Australia, South East Asia and the South West Pacific. They occur in estuaries, rivers, wetlands, beaches and inshore areas, including freshwater areas. The largest populations in Queensland exist in coastal areas in the Gulf of Carpentaria and Cape York Peninsula, where temperatures are warmer and there are large intact coastal wetland systems and estuaries that provide ideal habitat for the animals.

The population of estuarine crocodiles in Queensland has been recovering from extensive culling and harvesting which was banned in Queensland in 1974. Current processes that threaten crocodiles in Queensland include (refer Fukuda et al. 2007; Messel and Vorlicek, 1986; Read et al. 2004; Webb and Smith 1987):

- habitat destruction through clearing of riparian vegetation and urban, rural residential and agricultural development
- feral pest predation and weed incursions into nesting habitat
- deliberate killing (e.g. illegal shooting)
- accidental mortality from commercial and recreational fish netting in estuaries
- climate change (increased egg mortality and juvenile mortality from storm surges/flooding, changes in sex ratio arising from temperature changes in nesting areas, and changes in distribution and/or range).

A [Technical Report of Estuarine Crocodile Population Monitoring in Queensland \(1979-2019\)](#), that includes the results of a comprehensive [Three year monitoring program \(2016-2019\)](#) was published by the Department of Environment and Science in 2022. The program and report assessed estuarine crocodile populations and trends across the species' range, with results indicating that the average rate of population growth is approximately 2% per year, and the population is between 20,000 and 30,000 non-hatchling animals.

The report also notes that there has been no significant change in overall distribution of the species across Queensland, and no evidence that the population has expanded southward.

Freshwater crocodiles are endemic to Australia and live in the inland waterways of northern Australia. In Queensland, they are found in the rivers and swamps of Cape York Peninsula, areas bordering the Gulf of Carpentaria and the north-west. There are also east coast populations found in the upper Herbert River, the Burdekin River catchment and the Ross River. Freshwater crocodiles also live in the tidal reaches of some rivers.

## 2. Legislative Framework

### 2.1 International

Australia is a signatory to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Populations of both the Australian freshwater crocodile and the Australian estuarine crocodile are listed in CITES Appendix II, which is a list of species not necessarily threatened now with extinction, but in which trade must be controlled in order to avoid use that is incompatible with their survival.

A 2006 review prepared for CITES by the International Union for the Conservation of Nature, Crocodile Specialist Group (IUCN CSG) examined the harvesting of crocodilian eggs to supply farms (also known as ranching) which has become a widespread practice in many countries. The review found that there was no evidence that any of these programs have had detrimental effects on wild populations, and that there is considerable evidence that egg harvesting of crocodilian species is inherently safe (Jenkins *et al* 2006).

To export Appendix II specimens, an export permit is required and skins must be tagged in accordance with a tagging system that complies with the provisions of CITES Resolution Conference 11.12.

### 2.2 Commonwealth

Both the estuarine crocodile and freshwater crocodile are listed as a Marine species under Section 248 of the EPBC Act and as a Migratory species under Section 209 of the EPBC Act.

The Australian Government regulates the export of CITES listed species (including issuing of export permits) through the EPBC Act. To obtain a permit for the export of crocodile specimens from Queensland for commercial purposes, the production of those specimens must be in accordance with the approved WTMP. The EPBC Act requirements for a WTMP are documented in Appendix A.

Any commercial shipment of tagged skins or other natural crocodile products or derivatives (e.g. teeth, skulls) for export from Australia must be authorised with an Australian CITES export permit, which may be issued by the Commonwealth on application. The export permit must be retained by the owner of the crocodile product as proof of its legal acquisition. A permit is not needed to legally export or import up to four manufactured crocodilian products worn on the person or carried in accompanied baggage for personal purposes. However, to help with customs clearances the CITES Management Authority of Australia has instituted personal baggage permits.

CITES tags are sourced from the Australian Government and distributed by the Queensland Department of Environment and Science to licensed crocodile farms and meat processing premises. Each skin must be tagged as soon as practicable after removal from the crocodile carcass. The tag must remain attached whether the skin is in an unprocessed or tanned state (that is the tag must remain attached during and after the tanning process). Skins must be tagged in accordance with a tagging system that complies with the provisions of CITES Resolution Conference 11.12.

The Australian Code provides a nationally consistent set of minimum standards for the humane treatment of crocodiles. The standards are based on current knowledge of crocodile welfare issues and best practice in humane handling techniques, and applied a precautionary approach in the light of incomplete knowledge.

## **2.3 State**

### **2.3.1 Conservation**

The Queensland Government, through the Department of Environment and Science, administers the following legislation and policy relevant to the conservation of crocodiles:

- *Nature Conservation Act 1992* (NC Act)
  - Nature Conservation (Animals) Regulation 2020
  - Nature Conservation (Estuarine Crocodile) Conservation Plan 2018
- Queensland Crocodile Management Plan (most current version).

Both species of crocodiles are protected under the NC Act. The conservation status of the estuarine crocodile is vulnerable, while the freshwater crocodile is a least concern reptile. Removing live crocodiles of either species from the wild for commercial purposes is not allowed under Queensland law. Harvesting crocodile eggs may only occur in accordance with a valid wildlife authority and these authorities are only issued under strict conditions (see [Section 3.2](#) for more detail.)

Of the two crocodile species in Queensland, only the estuarine crocodile poses significant dangers to public safety. Estuarine crocodiles that are assessed as being 'problem crocodiles' can be removed from the wild to protect humans and prevent the loss of aquaculture fisheries resources, stock and working dogs. The circumstances under which an estuarine crocodile may be considered to be a problem crocodile are set out in the Nature Conservation (Estuarine Crocodile) Conservation Plan 2018, while detailed guidance on when and where a crocodile may be considered a problem crocodile due to the risk posed to public safety is contained in the Queensland Crocodile Management Plan. Once removed from the wild, problem crocodiles are typically placed with crocodile farms or zoos where they may be used for breeding or in displaying to the public. Problem crocodiles that are icon crocodiles (a crocodile that is greater than four metres in length or with unusual characteristics) must be kept in a farm or zoo in such a way that helps conservation of estuarine crocodiles. See also, section 3.1.1.

### **2.3.2 Welfare and exhibition**

The Queensland Department of Agriculture and Fisheries (DAF) administers legislation relevant to animal welfare and animal exhibition, including the *Animal Care and Protection Act 2001* (ACP Act) and the *Exhibited Animals Act 2015*. In addition, crocodile farming licences and commercial wildlife harvesting licences (for estuarine crocodile eggs) issued under the NC Act include a condition requiring compliance with the Australian Code, which includes a range of welfare requirements. Therefore, inhumane treatment of crocodiles inconsistent with the requirements of the Australian Code may be subject to compliance action under both the NC Act and ACP Act.

### 3. Management Arrangements

To achieve the purpose and objectives of this WTMP, the Queensland Government, in conjunction with crocodile farm operators and egg harvesters, will implement a range of management actions to regulate the harvest, farming and trade of crocodiles in accordance with the EPBC Act and NC Act. Table 1 sets out the management actions and corresponding performance indicators. The actions are described in more detail in the following sections.

**Table 1** Management actions and performance indicators

Management action	Performance indicator
Restrict take of live crocodiles from the wild to circumstances which meet the Nature Conservation (Estuarine Crocodile) Conservation Plan 2018 and other relevant nature conservation legislation.	All crocodiles taken from the wild meet the circumstances outlined in the Nature Conservation (Estuarine Crocodile) Conservation Plan 2018 and the Queensland Crocodile Management Plan).
Restrict take of crocodile eggs (egg harvesting) to circumstances which meet the sustainability criteria established under the Nature Conservation (Estuarine Crocodile) Conservation Plan 2018 and other nature conservation legislation.	Licences for egg harvesting are only issued in accordance with the criteria in the Nature Conservation (Estuarine Crocodile) Conservation Plan 2018 and other relevant criteria (see <a href="#">Section 3.1</a> ).
Assess, issue and administer licences for crocodile farming and crocodile egg harvesting, for compliance with the NC Act and other relevant requirements.	All licences are consistent with relevant provisions of the NC Act, Australian Code and WTMP and all farming and egg harvesting licences include a condition that the Australian Code must be complied with (see <a href="#">Section 3.2</a> ).
Audit crocodile farms' compliance with the NC Act and Australian Code.	A targeted sample of farms is inspected each year (see <a href="#">Section 3.3</a> ).
Monitor crocodile populations periodically in areas subject to egg harvesting to detect any detriment to the species in the wild.	Annual monitoring report showing the results of population monitoring in areas subject to egg harvesting (See <a href="#">Section 3.3</a> ).
Monitor the movement of eggs and live crocodiles to determine whether egg harvesting may be occurring illegally in Queensland.	All egg harvesting licences will be required to keep, and make available on request, complete records of when and where all eggs were obtained (see <a href="#">Section 3.3</a> ).
	Samples of returns of operations and annual statements received from Queensland crocodile farms are compared to data from farm inspections and movement advices to identify any anomalies in crocodile numbers (see <a href="#">Section 3.3</a> ).
	Any evidence of anomalies in the movement of eggs or live crocodiles into or out of the state are investigated (see <a href="#">Section 3.3</a> ).
Investigate suspected breaches of the NC Act, licence conditions, relating to crocodiles.	Appropriate enforcement action is undertaken when there is evidence of breaches of the NC Act, for example breaches of the Australian Code (see <a href="#">Section 3.3</a> ) by a crocodile farm licence holder, or breaches of licence conditions for egg harvesting activities.
Submit annual reports regarding the implementation of this plan to the Department of Climate Change, Energy, the Environment and Water.	An annual report for each calendar year is submitted to the Department of Climate Change, Energy, the Environment and Water by 30 June the succeeding year (see <a href="#">Section 4</a> ).
Review the implementation of the WTMP in order to assess the success of the plan in achieving its purpose and to inform the development of a subsequent plan.	A review of the implementation of the WTMP is completed no later than one year prior to the expiry of this plan (see <a href="#">Section 4</a> ).

### 3.1 Take from the Wild

The Queensland crocodile farming industry makes use of captive breeding, eggs commercially harvested in accordance with this wildlife trade management plan, a small number of crocodiles taken from the wild for public safety purposes, as well as eggs and hatchlings that are harvested in the Northern Territory in accordance with the Northern Territory's *Wildlife Trade Management Plan - Crocodile Farming in the Northern Territory 2021-2025*.

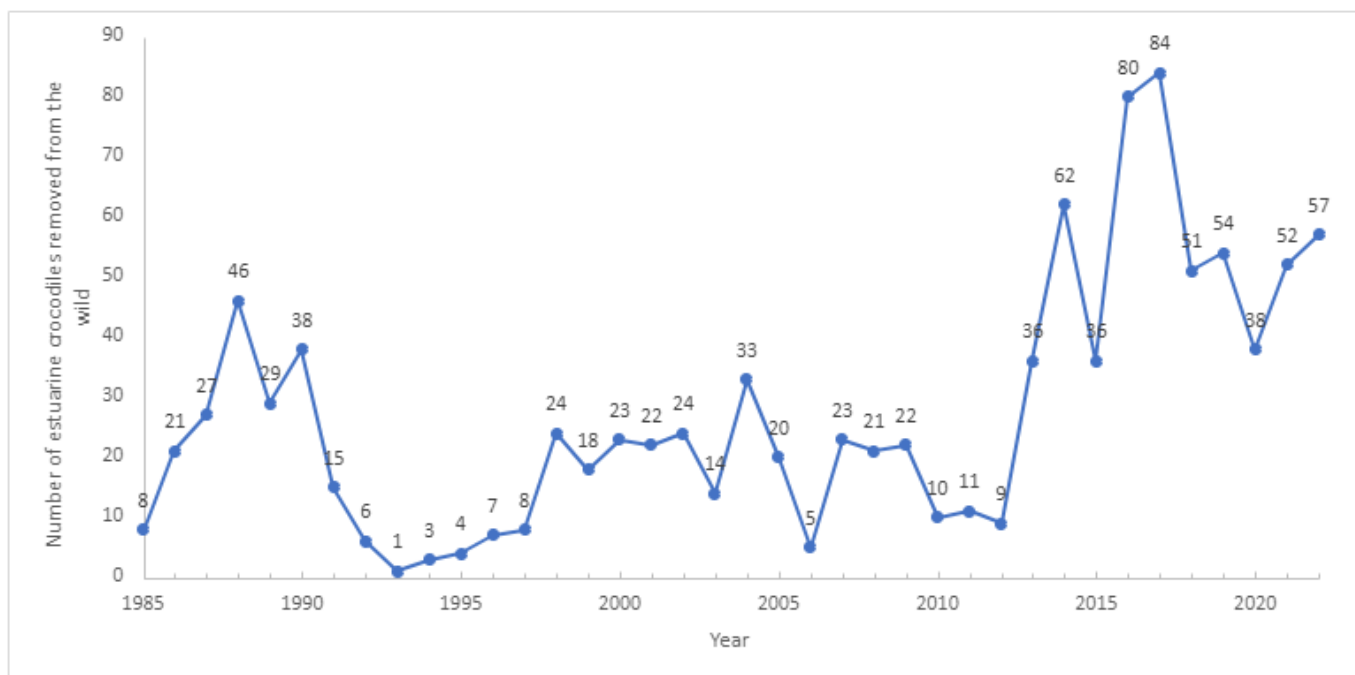
#### 3.1.1 Keep and Use of Problem Crocodiles

In circumstances where a crocodile is considered, by the chief executive administering the NC Act, to be a 'problem crocodile', that crocodile may be removed from the wild and given to a licensed crocodile farm in Queensland to be kept and used for breeding purposes. The Nature Conservation (Estuarine Crocodile) Conservation Plan 2018 sets out when an estuarine crocodile may be considered a problem crocodile, namely, when it is, or is likely to become, a danger to humans, aquaculture resources, stock or working dogs.

The Queensland Crocodile Management Plan provides further clarification about the circumstances where a crocodile may be considered a danger to humans.

The number of 'problem crocodiles' removed per year is shown in Figure 1. Most of these were removed from streams, wetlands and estuaries between Cooktown and Townsville.

**Figure 1 Number of estuarine crocodiles removed from the wild per year in Queensland between 1985 and 2022**





The Nature Conservation (Estuarine Crocodile) Conservation Plan 2018 establishes the arrangements for providing problem crocodiles to licensed crocodile farms in a fair and equitable way. In limited cases, problem crocodiles are humanely euthanised rather than given to a farm or zoo. This primarily occurs where:

- the crocodile is in a remote location and transporting it to an appropriate facility would create a significant risk to the crocodile's welfare, and would be likely to cause ongoing suffering and potentially the death of the animal; or
- that is the wishes of Traditional Owners with respect to the keeping of a crocodile 'On Country' or
- that is the only safe, feasible way of removing a particular problem crocodile in the prevailing circumstances.

### **3.1.2 Take and Use of Crocodile Eggs**

Queensland legislation provides for the commercial harvest of various animals (including animal eggs), under harvesting licences, when the proposed harvest meets certain criteria. It is anticipated that no more than 5000 crocodile eggs per year will be harvested in Queensland.

The Nature Conservation (Animals) Regulation 2020 provides the approval mechanism for harvesting licences, including for freshwater crocodiles. The Nature Conservation (Estuarine Crocodile) Conservation Plan 2018 provides additional criteria specific to the harvest of estuarine crocodile eggs, designed to ensure that egg harvesting will cause no detriment to wild populations of crocodiles.

Despite provision for licencing crocodile egg harvesting, in practice the scope for these activities to be commercially viable is limited in Queensland and only 2700 eggs have been permitted for harvesting since 2018. An [Independent Evaluation of the Queensland Estuarine Crocodile Management Program](#) undertaken in 2021 noted that (commercial harvesting of estuarine crocodile eggs in Queensland) is 'unlikely to be commercially viable at any substantial scale in Queensland because of the distribution and relatively low density of nests, the long freight transport distances involved, and the costs associated with locating nests, egg collection and transport'.

A licence for estuarine crocodile egg harvesting will only be issued for specific areas, where:

1. There is sufficient monitoring and research to understand the density, age structure and nesting activity of the population in the area proposed to be harvested.
2. The harvest will be supported by an annual population monitoring program sufficient to detect any negative impacts of the harvest on local estuarine crocodile populations.
3. The supporting evidence and monitoring program have been undertaken by a suitably qualified, nationally, or internationally recognised expert.
4. The harvested eggs can be readily provided to an authorised buyer, such as a licenced crocodile farm, capable of incubating and hatching the eggs in accordance with the Australian code.

To ensure harvesting is not impacting the local estuarine crocodile populations in waterways subject to egg harvesting, the Department of Environment and Science conducts annual crocodile population monitoring in these waterways, with a yearly summary of results provided to the Australian Government. See also section 3.3.2.

## **3.2 Wildlife authorities**

A wildlife authority is required under the NC Act to keep, use, move or deal with estuarine or freshwater crocodiles for trade. The type of authority required depends on the activity:

- crocodile farming (including the incubation of wild eggs) and processing requires a farming licence
- harvest of estuarine crocodile eggs requires a harvesting licence
- processing of crocodile parts requires a dealer licence
- Depending on when a licence was issued, the movement of crocodiles and eggs to and from licensed farms or zoos within or between states requires either a movement advice or movement permit, or a record of the movement. A movement permit is required when moving animals out of the state, or for export purposes.

A movement advice or movement permit is not required for skin products that have been appropriately tagged and are accompanied by an Australian CITES export permit.

When considering an application for an authority, the Department of Environment and Science is required under the NC Act to consider compliance with any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement<sup>1</sup>. Compliance with legislative requirements, as well as conditions of an animal authority, will be monitored as described in [Section 3.3](#).

## **3.3 Compliance and Monitoring**

### **3.3.1 Compliance and Monitoring of Crocodile Farms**

The Department of Environment and Science will monitor the compliance of crocodile farms with the NC Act and the Australian Code by:

- inspecting new licenced crocodile farms at least once during the first year of operation
- inspecting a sample of farms every year with the sample selected by taking into consideration:
  - farms identified as having matters of concern in a previous audit
  - farms receiving lawfully harvested crocodile eggs
  - farms that have been reported by members of the public or other government departments as being potentially in non-compliance
  - open source data, such as newspaper reports or legal cases involving the legal entity
  - time since the last audit
- collecting information on the movement of crocodiles into and out of the state using annual statements
- collecting information on the movement of harvested eggs into farms using annual statements
- investigating any alleged breaches of the NC Act in relation to the commercial take, keep and use of crocodiles in Queensland.

### **3.3.2 Comprehensive Monitoring of Egg Harvesting**

Each licenced commercial egg harvesting operation must be supported by a monitoring program which will include as a minimum, annual population counts and annual nest surveys in all waterways where harvest is occurring.

These annual population counts will occur from July to August in accordance with standards established by the Department of Environment and Science.

Nest monitoring will provide information on where the 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.

### **3.3.3 Enforcement**

Any breach of the NC Act or its subordinate legislation will be considered in the context of the Department of Environment and Science's Enforcement Guidelines, which explain how the department determines the enforcement action it may take based on the seriousness of the breach of legislation. The range of enforcement actions the department can undertake include:

- warning notices and letters
- penalty infringement notices
- administrative notices and orders made under legislation
- proceedings for court orders provided for under legislation

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<sup>1</sup> I.e. Section 13 of the Nature Conservation (Wildlife Management) Regulation 2006 requires consideration of whether the place where the animal will be kept is compliant with a relevant code of practice for the animal, while Section 26 of the Nature Conservation (Administration) Regulation 2017 requires that when considering an application for an authority that there is regard to any relevant Australian or international code.

- prosecution
- suspension or cancellation of permit, licence or authority.

In addition, enforcement action for serious non-compliance with welfare aspects of the Australian Code that may constitute animal cruelty or neglect offences will be coordinated for response by DAF under the *ACP*.

The holder of a Farming Licence, Harvesting Licence or a Dealer Licence for processing crocodile products must maintain records in an approved form (e.g. a record book or record and return book, or an electronic record system) and submit annual return data in an approved form (i.e. a return of operations for farming licence).

To help identify whether illegal egg harvesting (i.e. the taking of eggs or crocodiles from the wild to be grown or used for commercial purposes) is occurring in Queensland, the movement of crocodiles (including eggs) into and out of the state, and between farms within the state, will be monitored and any apparent anomalies be investigated. This would include requesting records showing when and how all eggs and live crocodiles were obtained.

## 4 Reporting

The Department of Environment and Science will submit a report to the Department of Climate Change, Energy, the Environment and Water each calendar year that the plan is in operation. The report will be submitted by 30 June in the succeeding year. The report will provide a summary of:

- The total number of problem crocodiles removed from the wild in accordance with the Queensland Crocodile Management Plan and outcomes for each crocodile.
- The number of licences issued for crocodile egg harvesting and their location.
- For areas where harvest is occurring, the results of annual population monitoring and nest surveys (including total number of eggs harvested).
- The number of live crocodiles (including eggs) imported into Queensland (collated from annual statements).
- Industry compliance statistics, including:
  - number of premises inspected
  - number of offences and type detected, and any enforcement action undertaken.

The Department of Environment and Science will review the implementation of this plan no later than 12 months prior to the expiry of the plan, to assess its success in meeting its goals and objectives.

Additionally, the Queensland Government QWildlife App will be used to provide reporting data on a range of crocodile management activities, including crocodile sightings and crocodiles removed from the wild.

## 5. References

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## Appendix A: Requirements of a Wildlife Trade Management Plan

As per Section 303FO of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the Commonwealth Minister responsible for the Environment may declare a WTMP only if satisfied that:

1. *The plan is consistent with the objects of Part 13A of the EPBC Act.*
2. *There has been an assessment of the environmental impact of the activities covered by the plan, including (but not limited to) an assessment of:*
  - a. *the status of the species to which the plan relates in the wild*
  - b. *the extent of the habitat of the species to which the plan relates*
  - c. *the threats to the species to which the plan relates*
  - d. *the impacts of the activities covered by the plan on the habitat or relevant ecosystems.*
3. *The plan includes management controls directed towards ensuring that the impacts of the activities covered by the plan on:*
  - a. *a taxon to which the plan relates*
  - b. *any taxa that may be affected by activities covered by the plan*
  - c. *any relevant ecosystem (for example, impacts on habitat or biodiversity) are ecologically sustainable.*
4. *The activities covered by the plan will not be detrimental to:*
  - a. *the survival of a taxon to which the plan relates*
  - b. *the conservation status of a taxon to which the plan relates*
  - c. *any relevant ecosystem (for example, detriment to habitat or biodiversity).*
5. *The plan includes measures to:*
  - a. *mitigate and/or minimise the environmental impact of the activities covered by the plan*
  - b. *monitor the environmental impact of the activities covered by the plan*
  - c. *respond to changes in the environmental impact of the activities covered by the plan.*

The objects of Part 13A of the EPBC Act are:

- (a) *to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention*
- (b) *to protect wildlife that may be adversely affected by trade*
- (c) *to promote the conservation of biodiversity in Australia and other countries*
- (d) *to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way*
- (e) *to promote the humane treatment of wildlife*
- (f) *to ensure ethical conduct during any research associated with the utilisation of wildlife*
- (h) *to ensure that the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.*