

Crocodile Control, Conservation and Safety Bill 2024

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CLCAC CARPENTARIA LAND COUNCIL
ABORIGINAL CORPORATION

United we stand.

5 September 2024

Re: Crocodile Control, Conservation and Safety Bill 2024 submission.

To whom it may concern,

Carpentaria Land Council Aboriginal Corporation (CLCAC) was established 40 years ago to represent the rights, interests, and aspirations of Traditional Owners from nine language groups, the Gkuthaarn, Gangalidda, Garawa, Kurtijar, Kaiadilt, Kukatj, Lardil, Waanyi, and Yangkaal people, whose traditional lands and waters are located in the southern Gulf of Carpentaria.

CLCAC wishes to make the following submission to the Health, Environment and Agriculture Committee regarding the Crocodile Control, Conservation and Safety Bill 2024 (the Bill) introduced on 21 August 2024.

Overall CLCAC supports the Bill however believes there are some changes required and some issues that need resolving.

CLCAC agrees with the objective of the Bill to eliminate from state waterways any estuarine crocodiles (crocodiles) that pose a threat to human life, while continuing to protect crocodiles from becoming extinct as a species and believes this objective should be stated upfront in the Bill.

While CLCAC agrees that human life needs to be protected it would also like to highlight the significance of crocodiles for traditional hunting and as an important and culturally significant species for Traditional Owners and indigenous people across the southern Gulf of Carpentaria. As such the continued conservation of the species is of very high importance.

CLCAC notes that under Section 10(1c and e) the Director is to make decisions about the number of crocodile eggs that may be harvested, and the number of crocodiles that may be culled each year in any part of the State.

CLCAC believes that more baseline information about the population of crocodiles, across their entire range, is required before any determination is made about what level of harvest of crocodiles and their eggs is considered sustainable. Similarly more information is also required about what the level of sustainable harvest or take should be, including a mechanism to monitor the harvest and to vary the amount over time in response.

Scientifically appropriate data collection and analysis should be undertaken and combined with Traditional Ecological Knowledge. This is a considerable body of work to be done and wherever possible it should be done by, and/or in very close collaboration with, Traditional Owners and Native Title holders. This should include funded capacity building activities for Indigenous rangers to build skills to be able to undertake data collection and analysis wherever possible. This work should be funded through direct financial contributions from State, Territory and Commonwealth Governments to Indigenous organisations and recognised scientific institutions.

Crocodiles are currently classified as vulnerable under the *Nature Conservation Act 1994* (NCA). Each of the recognised classes of threatened animals by definition includes the risk of extinction. CLCAC believes that a definition of “decline to such an extent that crocodiles are in danger of extinction” needs to be provided in the Bill including what measure would be used and the trigger point for that measure for when “crocodiles are in danger of extinction”. The Bill provides no clarity on whether the accepted classification of threatened species is to be used as the definition or some other method will be used.

CLCAC notes that there is no mention in the Bill of the Conservation Value of crocodiles being payable on the taking of a crocodile and so in it's current form the Bill is in conflict with the NCA. Under the NCA a Conservation Value is set for each class of threatened animal, currently for vulnerable animals the value is \$12,495.28 though under the Nature Conservation (Estuarine Crocodile) Conservation Plan 2018 (s 31) the conservation value for a problem crocodile caught under a crocodile management authority or damage mitigation permit is nil.

The right of indigenous people to take crocodiles while undertaking traditional hunting, without any license, permit or other authority, has already been established through the High Court of Australia in *Yanner v Eaton* in October 1999. As such Section 10 is in conflict with this by requiring an authority for the owner of Aboriginal land or Torres Strait Islander land to kill crocodiles or harvest crocodile eggs.

CLCAC agrees that allowing other persons to kill crocodiles on Aboriginal land or Torres Strait Islander land, for payment of a fee or free of charge, should be allowed and that the sustainable harvest of both crocodiles and crocodile eggs would present an opportunity for economic benefits to Traditional Owners and Native Title holders. This could include fees for providing guided hunting, using either lethal or non-lethal take methods, trips for people paid directly to Indigenous organisations. There also needs further funded training opportunities provided to allow such enterprises to operate, for example capturing and handling large crocodiles

CLCAC believes that any Advisory Committee established under the Bill must include at least 3 members who are an Aboriginal person, or a Torres Strait Islander person, who has experience with crocodiles. Indigenous people should be integral to the provision of advice about crocodile management to government agencies.



CLCAC does welcome that consultation is recognised in the Bill regarding any decisions made by the Director that may affect Aboriginal land or Torres Strait Islander land, or Aboriginal tradition or Island custom. Importantly the Bill states that consultation must have regard to the cultural sensitivities of the Aboriginal peoples and Torres Strait Islander people and potential economic or social benefits for them.

CLCAC notes that the proposed review of the Queensland Crocodile Management Plan does not include indigenous consultation. Again Indigenous people should be integral to the formulation of any management plan regarding crocodile management.

CLCAC agrees that the business premises of the authority must be located in Cairns along with the director and staff residing in Cairns. This will facilitate better access and relationship building between authority staff and various indigenous organisations and other stakeholders.

I note that at this point there are no details available regarding a public hearing for the Bill but CLCAC would like to participate if one was to be held.

Yours sincerely



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