



OFFICE OF ENVIRONMENT AND HERITAGE

Biodiversity Conservation Act - Wildlife Licensing Reforms

NATIVE ANIMAL KEEPING AND DEALING STAKEHOLDER CONSULTATIVE GROUP

NATIVE REPTILE EXPERT SUB-GROUP

10am - 3pm, Monday 24 September 2018

Sydney Masonic Centre

RECORD OF OUTCOMES

1. INTRODUCTION

Robert Oliver welcomed attendees and noted apologies (see **Appendix 1**).

It was noted the sub-group was comprised of nominees of Stakeholder Consultative Group members.

The purpose of the sub-group is to advise OEH on issues raised in submissions on the licensing reforms Discussion Paper, including:

- proposed changes to the species list, using the draft risk assessment tool included in the draft Species List issued with the Discussion Paper
- comments on the draft BC Act code of practice for keeping native reptiles.

2. LICENSING REFORMS – ALTERNATIVE OPTIONS

At the Stakeholder Consultative Group meeting on 29 August 2018, OEH undertook to develop two reform options to be considered at the next meeting:

1. move a limited number of low risk species to code (as per the Discussion Paper proposal)
2. retain keeper licensing for all species that currently require a keeper licence

Comments were invited on two alternative reform options raised in stakeholder submissions.

(a) Code with registration and reporting requirements

Under this option, keepers of code-regulated species would be required to register with OEH and provide annual reports. It is intended to address concerns raised by some stakeholders that OEH should maintain records of keeper names and contact details.

(b) Low-cost, no reporting licence class for keepers of up to 5 animals

This option was proposed as an alternative to adopting codes of practice to regulate keepers of lower-risk native animals. It would apply to hobby keepers of up to five animals of one or more species.

Comments included:

- an annual survey of keepers on a “low cost, low reporting” licence would provide data on what species are being kept in captivity.

3. LICENSING REFORMS – POLICY ISSUES

Comments was sought on two issues raised in stakeholder submissions.

(a) animal record books for species at risk of poaching

In response to the proposal that animal record books would be retained for venomous snakes only, it was suggested that a risk-based approach should be used to identify species for which detailed animal record books are still required.

Comments included:

- detailed record books should be required for species identified as posing risks of poaching or disease, or a high value on the black market, consistent with a risk-based approach to licensing and compliance activity.
- the new online licensing system will assist in freeing up resources which may also assist with increased compliance and monitoring of record books.

(b) licence eligibility age

It was suggested the keeper licence eligibility age should be reduced from 16 years old to 12 years old (with parental or guardian approval) as a means of fostering interest in wildlife conservation.

It was noted OEH is seeking legal advice which will be received prior to the next consultative stakeholder meeting in October.

Comments included:

- a lowered licence age should only be applicable to lower risk species (eg, Code-regulation and class R1 licences)
- a “junior licence” could be introduced for children which could be linked with a mentor or advanced keeper in the herpetology groups for support
- to promote a feeling of responsibility in young keepers, the licence could include a section which identifies the “principal animal keeper” as the child.

4. DRAFT CODE OF PRACTICE ISSUES

Comments were sought on changes to the draft code of practice raised in submissions.

(a) specific comments

The following specific comments were generally supported:

- re-organise the reference tables for enclosure sizes in Appendix A to be organised by groups for easier to navigation (eg, snakes, lizards, turtles etc)
- include more information about first aid requirements
- align the provisions about advertising the sale of reptiles (clause 10.1.5) with the corresponding animal keeper licence condition (condition 9)
- include a clause that deviation from any standards is allowed on veterinary advice and that advice must be retained in writing by keeper
- correct errors including:

- *Morelia spilota mcdowelli* is listed as Eastern Carpet Python in the Schedule but Coastal Carpet in table A6
- *Hemidactylus frenatus* is included in Appendix A but is no longer included in the species list.

(b) alignment with DPI exhibited animals' enclosure size limits

Matthew Crane advised that DPI was currently reviewing their framework of animal welfare standards as part of the NSW Animal Welfare Action Plan. Further work on the draft standards for exhibited reptiles was not likely to occur before mid-2019.

5. SPECIES LIST – POLICY ISSUES

Comments were sought on species list policy issues raised in stakeholder submissions.

(a) scientific and common names

It was noted that:

- the Herpetocultural Network (HCN) submission noted the need for various updates to scientific names to reflect various recent changes in taxonomy.
- OEH would continue to align the scientific and common names in the keeper's species list for species with those of OEH's BioNET system

Glenn Shea advised the Australian Society of Herpetologists Inc (ASH) was currently finalising a review of taxonomy which would be submitted to OEH's Science Division in 2019 to assist in updating species in the BioNET system.

(b) inclusion of hybrids

It was noted the species list currently included a number of hybrids. Comments included:

- remove hybrids between subspecies, as it is difficult to distinguish between them and this encourages inaccurate recording of what is being kept
- for example, hybrids of *Morelia spilota* subspecies should be listed as “*Morelia Spilota* hybrids”
- “true hybrids” of species should be retained on the list (e.g. *Antaresia childreni* x *Antaresia maculosa* and *Tiliqua scincoides* x *Tiliqua nigrolutea*).
- Any changes will need to be effectively communicated with keepers.

6. KEEPERS SPECIES LIST – PROPOSED CHANGES

It was noted the agenda papers included a list of all proposed changes and additions to the species list.

(a) code list changes

Glenn Shea provided an overview of the proposals in the HCN submission for additions to the draft list of code-regulated species, including:

- *Antaresia stimsoni* (Stimson's python) on the basis it is very similar to other *Antaresia* species on draft code list and the species is more widespread in the wild than the other *Antaresia* species
- all *Emydura macquarii* subspecies (river turtles) currently in class 1 on the basis they are virtually indistinguishable from each other and it is not feasible to require licences for some subspecies but not others

- all *Morelia spilota* subspecies (carpet pythons) currently in class 1, on the basis they cannot be readily differentiated from those subspecies already on the draft code list
- *Tiliqua scinoides intermedia* (Northern bluetongue) on the basis they are very easy to keep, are not native to NSW and they are readily available from captive-bred sources.

Comments included:

- RSPCA commonly receive turtles in their care. Since young turtles require a high level of appropriate care, there are concerns about whether any turtle species are appropriate to be kept under a code.
- further information should be sought on risks to wild populations of escaped carpet python pets, as raised in the Australian Museum's submission.

(b) New species

It was noted HCN's submission:

- proposes the addition of 44 species to the species list
- raised concerns about the use of the draft species risk assessment tool to new species that are not readily available from captive-bred sources
- considered that all species that may be legally kept in other states and territories should be added to the species list without further assessment
- sought clarification as to who makes decisions about proposed changes to the species list, and whether they can be appealed
- included a small number of species risk assessments in order to test the draft risk assessment tool on new species and movements between licence classes.

It was agreed that in the time remaining, the meeting would consider the draft risk assessments included in HCN's submission

Species subject to taxonomic changes

Mark Hawker provided an overview of risk assessments for three species subject to taxonomic changes that are presently held in NSW under former scientific names.

- *Ctenophorus infans* – Goldfields Ring Tailed Dragon (formerly *Ctenophorus Caudicinctus*)
- *Ctenophorus slateri* – Slater's ring tailed dragon (also formerly *Ctenophorus Caudicinctus*)
- *Diphoriphora phaeospinosa* - Black spined nobbi dragon (formerly *Diphoriphora nobbi*)

It was noted that changes to scientific names of species currently on the species list ('taxonomic orphans') should generally not require a risk assessment, unless it was proposed to move the species between licence classes.

New species not currently in captivity

Mark Hawker provided an overview of risk assessments for three species that are not kept in captivity in Australia, but may be legally taken from the wild in the Northern Territory. He proposes to publish information and data on the husbandry of these species.

- *Diporiphora albilabris* – White lipped two lined dragon
- *Diporiphora arnhemica* – Arnhem two lined dragon
- *Diporiphora lalliae* – Lally's two lined dragon

Comments included the need to seek further information on NT take from the wild permits, and the criteria they use to manage any risks to conservation.

Moloch horridus – Thorny devil

This species is legally kept in captivity in some other states, but requires a special diet of a live ants in a trailing line.

It was noted that further consideration of this species would require evidence that an appropriate and regular food source is available.

(c) Movements between licence classes

It was noted:

- HCN's submission includes proposals to move turtle species *Emydura australis*, *Emydura subglobosa* and *Emydura tanybaraga* from licence class R2 to R1.
- HCN undertook to provide further required information on health and safety risks and risks to the environment of escaped turtles.

7. NEXT STEPS

It was noted that the next steps in assessing proposed changes to the species list included:

- OEH to provide feedback to HCN on the level of detail required for the species risk assessment tool, and clarify the assessment and appeal processes
- HCN to prepare and submit risk assessments for other proposed addition to the species list.

Appendix 1

Attendees

Anthony Stimson - Herpetocultural Cooperative of NSW
Ash Flemming – Birdsville
Ben Dessen – Kellyville Pets (Pet Industry Association of Australia)
Brendon Neilly – RSPCA NSW
Cindy Jackson – Jetty Pets
Fay Jackson – Jetty Pets
Glenn Shea – Herpetocultural Cooperative of NSW
Jamie Stuart - Herpetocultural Cooperative of NSW
John Mostyn – Central Coast Herpetological Society
Mark Hawker – Herpetocultural Cooperative of NSW
Matthew Crane – Department of Primary Industries
Michael Donnelly - Herpetocultural Cooperative of NSW
Peter Newans – NSW Wildlife Council
Lynley Greig – NSW Wildlife Council
Tina Chenery - Central Coast Herpetological Society
Stephen Mahony – Australian Museum
Robert Oliver – Office of Environment and Heritage
Hannah Lewis – Office of Environment and Heritage
Louise Hatton – Office of Environment and Heritage

Apologies

Rhonda Glover – Macarthur Herpetological Society
Jodi Rowley – Australian Museum
John Grima - Pet Industry Association of Australia
Peter Stathis – Office of Environment and Heritage
Audrey Koosmen – NSW Wildlife Council