OFFICE OF ENVIRONMENT AND HERITAGE

Biodiversity Conservation Act - Wildlife Licensing Reforms

NATIVE ANIMAL KEEPING AND DEALING

STAKEHOLDER CONSULTATIVE GROUP

NATIVE REPTILE EXPERT SUB GROUP

SMC Conference & Function Centre

10am – 12pm, Thursday 1 November

DRAFT RECORD OF OUTCOMES

1. INTRODUCTION

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

2. DRAFT OUTCOMES 24 SEPTEMBER 2018

Comments were sought on the draft outcomes of the previous meeting.

No concerns were raised.

3. ASSESSMENT OF PROPOSED CHANGES TO SPECIES LIST

Robert Oliver reported on the outcomes of the Stakeholder Consultative Group meeting on 19 October 2018, as follows.

- Due to concerns about the review of species risk assessments through expert sub-groups, an expert panel will be convened to advise OEH on:
  - species risk assessments submitted by stakeholders in response to the Discussion Paper
  - improvements to the species risk assessment tool and process for use in future changes to the Animal Keepers Species List.
- The panel will be comprised of recognised experts in native animal conservation, husbandry, welfare and biosecurity issues, including nominees of Taronga, Australian Museum, DPI and stakeholders.
- Stakeholders will be provided with feedback on their proposals and the opportunity to re-submit revised proposals.
- It is anticipated the review of stakeholder species risk assessments and proposed species list changes would be finalised by April 2019.

<u>Issues raised in discussion</u>

- The Herpetocultural Cooperative of NSW (HCN) submission on the Discussion Paper raised concerns about the use of the draft risk assessment tool and the process and timeframes for the review of proposed changes to the Species List.
- Concerns were raised about the upcoming election and how this might affect the time frames.
- It was noted the species list will be finalised in time for the commencement of any approved changes to licence classes and the new online licensing system in mid2019.

<u>Proposed actions</u>

- HCN to provide any further species risk assessments for review by the expert panel by mid-November.
- All attendees invited to nominate recognised experts for consideration for participation in the expert panel by mid-November.
- OEH to provide update to attendees once the expert panel is established.

4. PROPOSED CHANGES TO REPTILE KEEPER SPECIES LIST

A. Summary of stakeholder proposals - updated

The summary of stakeholder species list requests was updated from the last meeting. Highlighted species are one that have had risk assessments submitted by HCN.

B. HCN Species Risk Assessments

Species risk assessments submitted by the HCN to date were included in the agenda. It was noted OEH would seek advice on the species risk assessments from the expert panel.

C. HCN venomous snakes proposal (Class R3, R4 & R5)

The proposal from HCN regarding the classification of venomous snakes was discussed. The proposal is summarised below.

- R1 - retain 11 elapid species in R1. These species have only mild venomisation are readily kept and some have no apparent conservation concerns.
- R2 - *Demansia papuensis* is R2 whilst all other elapids (aside class R1 elapids) are class R3 – R5. This species should be reclassified as class R3 or R4.
- R3 – 8 species which have higher husbandry skill, conservation significance and moderately venomous.
- R4 – 17 species which are dangerously or fatally venomous, readily kept by moderately experienced keepers. *Denisonia maculata* could be placed in a lower class as it is similar to *Denisonia devisi* (class R1) in venom toxicity and husbandry needs.
- R5 – 6 species, nervous temperament, skilled husbandry needs, highest risk of and from envenomation. Consider re-classifying *Pseudonaja guttatus* and *Pseudechis weigeli* to class R4 which contains species of similar ecology.

<u>Issues raised in discussion</u>

- It has been some time since OEH has reviewed the classification of venomous species.
- Support to continue staged approach of licence classes, due to differences between species in neurotoxins, temperament and conservation concerns.
- The proposed changes were generally supported, including the move of *D. papuensis* to class R3.
- Concern that if the dealers' species list is expanded to include class R1, the 11 elapid species in class R1 may be sold in licensed pet shops.
- Currently R1 and R2 species are allowed at reptile expos, with the exception of elapids. HCN proposed that R1 and R2 elapids be allowed to be sold at reptile expos, with appropriate conditions in place.

Commented [HL1]: Requested inclusion by Michael Donnelly – 17 December 18.

<u>Proposed action</u>

OEH to check if there are any keepers with only *D. papuensis* who may not meet the licence application criteria for a class R3 licence.

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5. REPTILE CATCH AND RELEASE LICENCES

A. Summary of stakeholder submissions

It was noted there was uniform agreement that licensing should be retained for reptile catch and release.

B. Proposed changes to licence eligibility requirements

Comments were sought on proposed changes set out in the agenda paper.

(i) Training and experience

It is proposed to revise the licence eligibility criteria to require both recognised training and at least 2 years practical experience.

Issues raised in discussion

- There was general support for this proposal.
- OEH need to be clear about what constitutes "practical" experience.
- Ideally, experience would include accompanying an experienced handler for a set amount of catches/releases.
- Licensees should hold at a minimum a class R4 licence, which requires experience in handling snakes of various temperaments and venom toxicity.

(ii) Recognised training

It was noted the current eligibility criteria require "recognised" training, but does not define what constitutes "recognised" training.

Options to clarify the minimum level of training required for licence applicants include:

(a) a nationally accredited training course delivered by a registered training organisation
(b) training courses and providers approved by OEH (consistent with Queensland reptile catch and release licence training requirements).

Issues raised in discussion

- There is only one nationally accredited course and it is delivered by one provider. The costs associated with maintaining course accreditation are very high.
- RSPCA has an in-house recognised training organisation and may be able to provide assistance in developing and delivering a training course.
- Richmond TAFE provides a course with theory only and may also be able to provide assistance.
- Training in smaller groups or individuals provides more hands-on experience handling snakes in catch and release scenarios.
  It is understood there is little monitoring of training providers under the Queensland system once a training course has been approved. This option would need refining to be applicable for what NSW would like it to achieve.

(iii) Refresher training

Currently there is no requirement for licensees to undergo refresher training.

It is proposed licensees complete a refresher training course every 2 years to ensure methods are current and continued industry best practice. Issues raised in discussion

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- Concern that there are no standards for refresher courses and some courses currently available are inadequate.
- Consideration should also be given to ensure training courses by fire and rescue services are adequate.
- Video tools used for situations where unique circumstances arise. Proposed action
- OEH to seek assistance from TAFE and RSPCA NSW in developing options for NSW training requirements.
- OEH to seek further information on operation of the training system in Queensland.
- OEH to consult NSW Fire and Rescue Service on reptile training issues.

C. Proposed changes to licence conditions

Comments were sought on proposed changes set out in the agenda paper.

(i) Methods of capture

Current licence conditions are silent on the acceptable methods of capture which should be employed by licence holders.

It is proposed to incorporate specific methods in the licence conditions to ensure reptile welfare and ensure the safety of the licensee and public.

Issues raised in discussion

- Tongs should have leather/rubber handles to avoid injury to animal
- The type of method used should be “fit for purpose” taking into account the situation and type of snake.

(ii) Native reptile but not endemic

Current licence conditions are silent on action to be taken when a reptile is not endemic to the area in which it is captured.

It is proposed the licence conditions include prohibiting releasing non-endemic reptiles and requiring them to be transferred to a licensed rehabilitation group so the reptile can be appropriately released or rehomed.

Issues raised in discussion

- Many licensees may send photos to colleagues or experienced snake identifiers to confirm a species and seek advice or a second opinion.
- Noted that the rehoming process of native reptile pets is currently problematic. OEH are working to create easier more streamlined processes for this.

(iii) Exotic reptiles

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Current licence condition states that the licence holder must notify OEH of the capture of a reptile that is not native to Australia.

As exotic reptiles are subject to biosecurity laws administered by DPI, it is proposed to instead require the licensee notify DPI rather than OEH.

Issues raised in discussion

- Mathew Crane advised that he will confirm with Nathan Cutter but is confident DPI will have no issues with the proposal.

(iv) Situations for humane euthanasia

Currently the licence conditions state that a reptile must be euthanised if it cannot be released or transferred to a rehabilitation group within 3 days of capture.

It is proposed that the licence conditions also indicate circumstances where humane euthanasia would be the most suitable outcome.

Issues raised in discussion

- It was noted that the *Prevention of Cruelty of Animals Act* (POCTA) requires euthanasia must be performed by a veterinarian.
- Rehabilitation groups are authorised to euthanase injured native animals using methods set out in codes of practice.
- Concerns that licensees should not be authorised to make decisions about euthanasia.
- There needs to be some flexibility of this, unforeseen circumstances such as adverse weather conditions, recent fires in release area, floods etc. would deem it unsuitable to release the animal into dangerous conditions.
- This must be balanced with the fact that the longer a wild animal is kept in captivity the less likely it is to survive being released to the wild.

Proposed action

- OEH to revise the proposal, taking into account requirements under POCTA and rehabilitation group licence conditions and codes.

D. Other issues

A number of other issues were raised by stakeholders

- Licensees should be required to provide information to the customer on reptile safety, similar to the obligation on licensed pet shops to provide information to the purchaser. OEH could develop materials to be used for customer education.
- NSW should require approved developments to undertake wildlife surveys and engage a licensed spotter/catcher as occurs in Queensland.
- Currently reptile catch and release licensees must obtain public liability insurance. However, rehabilitation groups doing the same work are covered by insurance funded by the Government.
- There is concern that some licensees that are also rehabilitation group members, undertake commercial catch and release services under the rehabilitation group's insurance and are not required to obtain their own insurance.

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- There is a need to clarify rules for rehabilitation group members that also provide commercial catch and release services.
- Rehabilitation group members undertaking reptile catch and release should be held to the same training standards as reptile catch and release licensees.

Proposed action

- OEH to consider options for educating customers about reptile safety.
- OEH to consult rehabilitation groups on managing conflicts of interest when rehabilitation group members also provide commercial catch and release services.

6. NEXT STEPS

Robert Oliver advised that the next steps in the finalisation of the licensing reforms include:

- Stakeholder Consultative Group to meet in later November 2018 to review proposed options for reforms to animal keeping and dealing licences.
- OEH to convene the expert panel to advise on species risk assessments submitted by HCN.
- OEH to revise proposed changes to reptile catch and lease licence eligibility requirements and licence conditions taking into account issues raised at the meeting, and undertake further consultation with key stakeholders.

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Appendix 1

Attendees

Anthony Stimson - Herpetocultural Cooperative of NSW
Glenn Shea - Herpetocultural Cooperative of NSW
Jamie Stuart - Herpetocultural Cooperative of NSW
Michael Donnelly - Herpetocultural Cooperative of NSW
John Mostyn – Central Coast Herpetological Society
Tina Chenery – Central Coast Herpetological Society
Marie Callins – Central Coast Herpetological Society
Cindy Jackson – Jetty Pets
Julia McConnell – Reptile Rescue and Education Service
John Grima – Pet Industry Association of Australia
Brendon Neilly – RSPCA NSW
Matthew Crane – Department of Primary Industries
Robert Oliver – Office of Environment and Heritage
Hannah Lewis– Office of Environment and Heritage
Luke Francis – Office of Environment and Heritage

Apologies

Audrey Koosmen – NSW Wildlife Council
Jodi Rowley – Australian Museum
Stephen Mahony – Australian Museum
Peter Newans – NSW Wildlife Council
Shane Strong – Gates of Eden

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