



## OFFICE OF ENVIRONMENT AND HERITAGE

Biodiversity Conservation Act - Wildlife Licensing Reforms

# NATIVE ANIMAL KEEPING AND DEALING STAKEHOLDER CONSULTATIVE GROUP

10am–2pm, Friday 19 October 2018

## RECORD OF OUTCOMES

### 1. INTRODUCTION

Richard Kingswood welcomed attendees to the meeting and apologies were noted. (see **Appendix 1**).

### 2. DRAFT RECORD OF PREVIOUS MEETING

Robert Oliver sought any further comments from attendees on the draft record of previous meeting held in August 2018.

No concerns raised with the record of previous meeting.

### 3. ASSESSMENT OF PROPOSED CHANGES TO SPECIES LIST

In recognition of concerns to the process for assessing species risk assessments through expert sub-groups, the Office of Environment and Heritage (OEH) propose to convene an expert panel to advise OEH.

This panel will be comprised of recognised experts in native animal conservation, husbandry, welfare and biosecurity issues.

The panel will advise OEH on:

- species risk assessment submitted by stakeholders in response to the Discussion Paper
- improvements to the risk assessment tool and assessment process for use in future changes to the species list.

The process will allow OEH to provide stakeholders feedback on their proposals, and the opportunity to re-submit revised proposals. Taronga Conservation Society Australia, Australian Museum, Department of Primary Industries (DPI) and Zoo and Aquarium Association (ZAA) have expressed interest in participating in the assessment process.

It is anticipated the review of stakeholder species risk assessments and proposed species list changes would be finalised by April 2019.

#### Issues raised in discussion

Concerns raised about the use of experts from zoological institutions and the validity of their expertise in keeping animals in captivity.

Stakeholders that submitted species risk assessments must be informed of the decision and given the opportunity to clarify concerns/issues that expert panel have if possible.

Composition of expert panel should include keepers as they are the experts, and nomination from universities.

Opposition to keepers being on expert panel due to conflicts of interest in the outcome of the panel decision. The panel should endeavour to remain impartial.

Suggestion to use the existing scientific committee that independently informs the minister of decisions relating to threatened species management plan changes that should or should not proceed.

#### Proposed action

- attendees to nominate experts for the proposed expert panel.
- OEH to develop detailed arrangements for the membership and procedures for the proposed expert panel

#### **4. NATIVE MAMMAL KEEPING**

It was noted that concerns were raised at the Mammal expert sub-group meeting on 18 September that further public consultation should occur on this issue, since the Discussion Paper did not specifically seek comments on mammal keeping and as a result, interested stakeholders had not provided submission on this issue.

It is understood a number of wildlife and animal welfare groups had written to the Minister strongly opposing any changes to the current OEH policy.

OEH proposed that one option would be to conduct public consultation on the review of the current OEH policy on mammal keeping, since the policy was last reviewed in 2002.

#### Issues raised in discussion

Welfare and rehabilitation groups raised concerns with proposals to expand the private keeping of native mammals, noting existing welfare concerns with mammals that are already kept (cats and dogs).

Mammal Society of NSW representatives noted their submission proposed a tiered risk-based licensing framework to be supported by a code of practice and animal welfare standards.

They noted their proposed mammal species list (44 species) is to be implemented over a period of time, and they had identified 10 species that may be kept in Victoria and South Australia for initial consideration using the risk assessment tool included in the Discussion Paper.

A representatives of keeper societies noted wildlife rehabilitation groups care for native mammals and questioned why the general public not be permitted to do so under a licensing system.

NWC representatives advised of strict licensing and training requirements for all wildlife rehabilitation groups and their members. All native animals undergoing rehabilitation are managed to minimise humanising processes to ensure they can be successful when returned to the wild.

They further noted native animals do not make good pets, as they retain natural habits and tendencies to be wild. Rehabilitation groups often receive reports of illegally kept native animal pets, for example, kangaroos raised from pouch that become unmanageable when fully grown.

### Proposed action

- OEH to consider the timing of further public consultation on the current policy of mammal keeping, subject to the Minister's response to the correspondence a number of wildlife and animal welfare groups.

## 5. NSW ANIMAL WELFARE ACTION PLAN

Dr Kim Filmer, Chief Animal Welfare Officer, DPI provided an overview of the [NSW Animal Welfare Action Plan](#). In particular,

- the strong commitment to effective stakeholder engagement in the development and review of animal welfare standards
- the need to adopt evidence-based risk assessment processes in determining animal welfare standards.
- following development of a framework for NSW animal welfare standards, DPI would commence the review of standards for priority species and issues.

It was noted:

- OEH licence conditions require compliance with current DPI codes for pet shops and keeping and trading birds
- OEH proposes to adopt draft codes for private keeping of native reptile and frog keeping under the BC Act as there are currently no DPI codes for these issues
- the previous meeting had agreed to defer further consideration of the Discussion Paper proposal to regulate online and home-based trading in native animals, pending development of revised draft standard for animals in pet shops.

Dr Kim Filmer was thanked for her presentation.

## 6. COMPLIANCE AND ENFORCEMENT

Brad Wade (Senior Investigator, OEH) and Doug Stubbs (Assistant Director, Investigations, Department of Environment and Energy (DoEE)) attended the meeting to provide information on the impact of proposed reforms to keeper licensing on wildlife crime investigations.

They provided information about recent investigations by DoEE into attempted international export of native reptiles arising from interceptions by Australia Post and Australian Border Force.

These investigations included species such as blue-tongued and shingleback lizards that are common in Australia but attract a high price overseas.

They noted licensing records and information from NSW keeper record books provide information about native reptile keepers and trading that assists investigators in identifying the source and movement of native reptile's subject to illegal export.

In response to questions from attendees, they advised:

- recent investigations mostly concerned native reptiles rather the other types of native animals, and included several species proposed to be regulated by code of practice. Recent investigations resulted in the seizure of over 300 native reptiles from five alleged offenders
- it is difficult to determine the extent of illegal exporting, but it is assumed only a small proportion is intercepted

- recent investigations involved licensed keepers and unlicensed persons, and included wild caught and captive-bred reptiles
- there is some evidence that licensed keepers were falsifying record books to launder illegally obtained reptiles
- there is apparently fewer attempts to illegally export native birds and mammals, possibly due to difficulties in successfully transporting live animals
- in response to questions concerning lack of public information about wildlife crime, it was noted OEH and DoEE issue media releases about successful investigations and prosecutions. It was suggested information from the media releases could be published in keeper group journals to increase awareness of wildlife crime amongst keepers.

Brad Wade and Doug Stubbs were thanked for their presentation.

## **7. NATIVE ANIMAL PET REHOMING**

OEH have been consulting with stakeholders regarding the management of unwanted, escaped or seized native animal pets since November 2017.

Wildlife rehabilitation groups currently receive and care for displaced native animal pets but have advised this is not their core business and is draining their limited resources.

A number of options have been considered to date, including a role for RSPCA, local councils and pet shops, but are not considered feasible.

It was noted the agenda paper sought comments on the following options:

- formalising the involvement of herpetological and avicultural societies in rehoming native animal pets
  - societies may re-home the pets by ballots, wish-list process, rehoming days or society expos (subject to relevant licensing requirements).
- introduce new licensed rehoming providers for regional areas where societies do not have members.

Both options enable rehabilitation groups to assess if a native animal is from the wild or a pet before transferring pets to a society or licensed provider for rehoming.

HCN and CCBFA support formalising the role of herpetological and avicultural societies to expedite the rehoming of displaced native animal pets. They noted:

- a central communication point will be necessary for both avicultural and herpetological societies to facilitate rehoming among their membership
- wildlife rehabilitation groups need to be aware that keeper groups cannot accept species that may not be held under a keeper's licence
- administrative and reporting processes would need to be developed to minimise delays in the rehoming process.

Wildlife rehabilitation groups identified that the costs of vet treatment for displaced unwanted pets are high.

There is a possibility for some synergies with RSPCA who are creating a surrender intervention framework to include reptiles within this framework.

### Proposed action

- attendees to provide any further comments on the agenda paper to OEH
- OEH to prepare a more detailed proposal including proposed administration and reporting procedures, for further consultation.

## **8. LICENCE ELIGIBILITY AGE**

Legal advice regarding the stakeholder proposal to lower the licensing age from 16 to 12 with parental consent was discussed.

The advice indicated it is not desirable to issue licences to children aged 12 -15 years due to difficulties enforcing compliance by children.

### Proposed action

- OEH proposes to recommend no changes to the current age limit of 16 years with parental consent.

## **9. NEXT STEPS**

OEH undertook to:

- convene a further reptile sub-group meeting to consult stakeholders on proposals concerning venomous snakes and reptile catch and release licences.
- convene a further Stakeholder Consultative Group meeting in later November 2018 to discuss:
  - options for changes to keeping licensing and licensed keeper reporting requirements
  - detailed arrangements for the proposed expert panel to review stakeholder species risk assessments and identify improvements to risk assessment processes
  - a detailed proposal on formalising the role of avicultural and herpetological societies in rehoming displaced native animal pets.

## APPENDIX 1

Biodiversity Conservation Act - Wildlife Licensing Reforms

# **NATIVE ANIMAL KEEPING AND DEALING STAKEHOLDER CONSULTATIVE GROUP**

## **Attendees**

### Native bird keepers

Sam Davis, Canary and Caged Bird Federation of Australia  
 Craig Jeffrey, Associated Birdkeepers of Australia  
 Brian Read, Finch Society of Australia  
 Erroll Wilson, Associated Birdkeepers of Australia

### Native reptile keepers

Rhonda Glover, Macarthur Herpetological Society  
 Dennis Glover, Macarthur Herpetological Society  
 Marie Callins, Central Coast Herpetological Society

### Native mammal keepers

Mitchell Hodgson, Mammal Society of NSW  
 Michael Donnelly, Mammal Society of NSW  
 Dr Michelle Dali, Mammal Society of NSW

### Native animal dealers

Nancy Agius, Extreme Pets  
 Kim Garcia, Extreme Pets  
 Cindy Jackson, Jetty Pets

### Animal welfare agencies

Brendan Neilly, RSPCA NSW  
 Elizabeth Mahon, Animal Welfare League

### Wildlife rehabilitation services

Audrey Koosmen, NSW Wildlife Council  
 Shona Lorigan, NSW Wildlife Council  
 Leanne Taylor, WIRES  
 Kristie Harris, WIRES  
 Storm Stanford, WIRES

### Department of Primary Industries

Dr Kim Filmer, Chief Animal Welfare Officer

### Office of Environment and Heritage

Richard Kingswood, Director, Conservation  
 Julie McInnes, Biodiversity and Wildlife  
 Louise Hatton, Biodiversity and Wildlife  
 Robert Oliver, Wildlife Biodiversity Reforms  
 Hannah Lewis, Wildlife Biodiversity Reforms  
 Bronwen van Jaarsveld, Wildlife Biodiversity Reforms

Apologies

Anthony Stimson, Herpetocultural Cooperative  
Philip Grimm, Frog and Tadpole Study Group  
John Grima, Pet Industry Association of Australia  
Ken Francis, Animal Welfare League  
John Mostyn, Central Coast Herpetological Society  
Tina Chenery, Central Coast Herpetological Society  
Peter Stathis, Biodiversity and Wildlife