

Biodiversity Conservation Act - Wildlife Licensing Reforms

NATIVE ANIMAL KEEPING AND DEALING STAKEHOLDER CONSULTATIVE GROUP

10am–2pm, Wednesday 29 August 2018

RECORD OF OUTCOMES

1. INTRODUCTION

Richard Kingswood welcomed attendees and noted apologies (see **Appendix 1**).

It was noted the purpose of the meeting was to commence the process of finalising reforms to animal keeping and dealing licences, taking into account issues raised in stakeholder submissions on the Discussion Paper.

2. PROCESS FOR FINALISING REFORM PROPOSALS

Robert Oliver provided an overview of the process for finalising reforms to animal keeping and dealing licences including:

- up to three meetings of the Consultative Group to advise OEH on the reform proposals and their implementation.
- convening expert sub-groups for birds, frogs, mammals and reptiles to consider proposed changes to keepers' species and codes.

It was noted that for issues where stakeholders have opposing views, OEH will provide options for the Minister's consideration.

3. ISSUES RAISED IN STAKEHOLDER SUBMISSIONS

(a) ANIMAL KEEPING

(i) Risk-based regulation

Key issues raised in submissions

- strong views on both moving lower risk species to codes of practice and for retaining licensing for all currently licensed species
- some alternative approaches to risk-based regulation
 - codes with registration and reporting requirements
 - expanded companion keeper licence (up to 5 animals, no reporting)

Issues raised in discussion

Adding registration and reporting requirements to proposed codes would ensure all keepers can be contacted in case of disease outbreaks and would enable monitoring of the number of birds held in captivity.

PIAA propose an expanded companion keeper licence class for up to five (5) animals and no reporting requirements. This would reduce administrative burden for a large

proportion of licensees. It was noted this was similar to the Queensland proposal for a basic licence.

Proposed actions

- OEH to develop detailed reform options be considered at next Stakeholder Consultative Group meeting:
 - Move limited number of low risk species to code (as per Discussion Paper proposal)
 - Retain keeper licensing for all species that currently require a keeper licence
 - Alternative options to implement risk-based regulation
- OEH to invite representatives of OEH Special Investigations Unit and relevant federal authorities to attend the next Stakeholder Consultative Group meeting to discuss compliance and enforcement implications of the reforms options.
- OEH to provide information on revised Queensland proposals for animal keeper and dealer licensing the next Stakeholder Consultative Group meeting.

(ii) Animal Keeper Species list

Key issues raised in submissions

- Many proposals for additions and movements between classes.
- Remove 41 exempt bird species from code-regulated list.
- Remove hybrids from the species list and discourage hybridisation.
- Expand private mammal keeping in NSW as per Victoria and South Australia.
- Some opposition for expansion of private mammal keeping on the basis of welfare and conservation risks.

The submission from Mammal Keepers of NSW included a detailed proposal for risk-based licence class framework.

Issues raised in discussion

Rehab groups are already dealing with a number of dumped native mammal pets of the two species that can be held in NSW.

NSW could consider adopting the Queensland practice of issuing permits to privately keep native mammals for people moving interstate.

Proposed action

- Establish expert sub-groups for native birds, reptiles, frogs and mammals to
 - review proposed changes to species list
 - identify species that may be suitable to move to code
 - identify species for which keeper licences should be retained due to evidence of high conservation and welfare risks.
- OEH to email Stakeholder Consultative Group members to seek nominations for expert sub-groups.
- Expert sub-group outcomes to be considered at next Stakeholder Consultative Group meeting.

(iii) Risk Assessment Tool

Key issues raised in submissions

- support for use of the Risk Assessment Tool (RAT) to assess proposed changes to the keeper species list
- the need to clarify assessment and appeal processes.

Issues raised in discussion

The RAT needs to be more specific in categories of higher risk, i.e. diseases carried and potential pathogen transmission impacts on wild populations.

The RAT process should consider market value locally and internationally.

Proposed action

- Expert sub-groups to apply RAT to assess proposed changes to species list, and advise any proposed changes or additions to the RAT at the next Stakeholder Consultative Group meeting

(iv) Licence EligibilityKey issues raised in submissions

- request to lower the age limit for licensed keepers to 12 years (with parental consent).
- review of eligibility criteria for advanced keeper licenses.

Issues raised in discussion

Consider recognition of prior learning for reptile class hierarchy so minors can use experience in gaining higher levels of reptile licences.

Allowing suitably experienced handlers/trainers a licence condition in which they can provide handling training to those on a lower level licence.

Proposed action

- OEH to seek legal advice on ability to undertake compliance and enforcement activities on a 12-year old.

(v) Annual Returns

Key issues raised in submissions included:

- support for the proposal for a simplified annual return for class 1 and 2 species but retention of detailed animal record book for venomous snakes.
- a risk-based approach should be used to identify species for which detailed animal record books are still required.

Issues raised in discussion

- Paper application forms and record books/returns will still be accepted.
- OEH will provide a monetary incentive for lodging electronically.

Proposed action

- Expert sub-groups to identify any class 1 or 2 species for which a detailed animal record book should be kept and submitted to OEH, and report to the next Stakeholder Consultative Group meeting.
- Seek advice from OEH Special Investigations Unit and relevant federal authorities on compliance and enforcement implications of proposed adoption of simplified annual returns.

(vi) Draft Codes of Practice

Specific comments on the draft codes in submissions included:

- whether draft OEH codes should include animal welfare standards
- record keeping standards for code-regulated species are too onerous
- clarify restrictions on advertising for acquisition and disposal

- consider alignment enclosure size limits in DPI's reptile exhibitor standards and the draft OEH reptile code.

Issues raised in discussion

All bird societies are opposed to the draft bird code applying to the 41 exempt bird species.

All members agree there should be consistency between DPI and OEH codes of practice.

Consider incorporating the Frog and Reptile Hygiene Protocols into the draft frog and reptile codes, to provide all regulatory standards and guidance in one document.

Proposed actions

- That the draft bird code will not apply to the 41 exempt bird species.
- Expert sub-groups to consider proposed changes to draft codes and report to the next Stakeholder Consultative Group meeting.

(b) ANIMAL DEALING

(i) Retain licensing for pet shops

Key issues raised in submissions include wide support to retain licensing. Adoption of one dealer licence class that lists species, rather than separate licences for reptile and bird keepers.

Issues raised in discussion

Widespread support for retention of licensing for pet shops that sell native animals.

Proposed action

- Retain licensing for pet shops that deal in the native animals.

(ii) Expand species permitted to be sold by pet shops

Key issues raised in submissions include:

- strong views for and against expanding dealer species list to include all class 1 animals.
- the bird dealer species list should retain all current class 1 bird species (including those proposed to move to class 2)
- introduce advanced dealer licence for class 2 reptiles.
- whether pet shops should require a licence to sell code-regulated species.

Issues raised in discussion

Support for the inclusion of two native mammals and some native frogs species in the licensed dealer species list.

Review dealer list to allow all species proposed to move to code to be included in dealers list.

Bird keepers believe species on code should be exempt from fauna dealers licence and should be able to be sold by any pet shop. Changing this will also reduce demand for birds through internet sales.

Reptile keepers on a whole agree with the expansion of the dealers list to include code species but due to specific housing and husbandry requirements would like pet shops to still have a fauna dealers licence for all native reptile species sold.

Proposed action

- OEH to develop detailed options for the licensed dealer (pet shop) species list, including retain current list, expand the list as proposed in the Discussion Paper, include or exclude code-regulated species, include or exclude class 2 species.

(iii) Temporary dealer licences for animal fairs and expos

Key issues raised in submissions include strong opposition to introducing licensing for native bird expos and sales. Remove licence fee for shows held by not-for-profit reptile keeper groups.

Issues raised in discussion

Need to distinguish between shows run by organised by not-for-profit keeping associations, and expos organised by commercial operators.

Bird keepers have not been licensed by OEH for this as the advice was that no licensed birds were being sold. OEH currently only issues licences for native reptile shows and expos.

Peak native bird and reptile keeper groups have developed their own codes for shows and expos and the option of recognising these codes and discontinuing OEH licensing should be considered.

Consider rationale for OEH licensing of native animal shows and expos, taking into account DPI regulation of animal welfare at shows and expos under proposed standards for animals in pet shops.

Proposed actions

- Consult DPI regarding coverage of expos under existing or proposed animal welfare standards, before development of detailed reform options.
- If licensing retained, remove OEH licence fees for reptile shows organised by not-for-profit keeping associations.

(iv) New licence class for commercial dealing in native animals other than through a pet shop.

Key issues raised in submissions included:

- strong views for and against introducing licensing for home-based and online dealer businesses.
- criteria for differentiating between a business and a hobby should be aligned with DPI welfare standards for pet dealers.
- an alternative proposal for licensing online advertisers.

Issues raised in discussion

A new group established as Animal Care Australia Incorporated will seek to be the peak body representing all keepers particularly on this issue.

Proposed action

- Defer further development of this proposal, pending consultation with DPI on revised DPI welfare standards for pet dealers.
- Request DPI representatives provide update on plans for review of welfare standards for pet shops at next Consultative Group meeting.

(c) INTERSTATE IMPORT AND EXPORT

(i) Discontinue import/export licences for code-regulated species

Key issues raised in submissions included a variety of strong views for and against. Proposed exemption from import/export licences for animals held by rehabilitation groups crossing state borders for veterinary treatment.

Issues raised in discussion

Proposal will need to be reviewed once the keeper licensing options are finalised.

If retained, request that the new electronic wildlife management system (WMS) can recognise exhibitor licence number from DPI for import/export licences.

Proposed action

- Re-consider proposal once options for keeper licensing reform are developed.

(ii) Discontinue import/export for movements by licensed exhibitors

Submissions supported for this proposal, subject to no lowering of welfare and reporting requirements.

Issues raised in discussion

No new issues raised.

Proposed action

- OEH to implement as proposed.

4. IMPLEMENTATION ISSUES

(a) COMMUNITY EDUCATION PROGRAM

Robert Oliver noted objectives of the program include:

- enhance community awareness of key risks to wildlife biodiversity conservation
- promote voluntary compliance with wildlife biodiversity protection laws, licensing requirements and codes of practice

Proposed actions

- OEH to engage expert contractor to consult stakeholders and develop draft plan for community education program
- Draft plan to be presented to Stakeholder Consultative Group in mid-November 2018.

(b) LICENSING ADMINISTRATIVE POLICY

Robert Oliver noted objectives of the policy include consistent implementation of BC Act and Regulation procedural requirements across all licence classes, and improved customer service

Proposed actions

- Draft to be considered at next Stakeholder Consultative Group meeting (mid-October 2018).

(c) REVIEW OF LICENCE FEES

Robert Oliver noted objectives of the review to include:

- determine cost to Government of licence administration and compliance monitoring
- propose licence fees based on cost-recovery principles

- propose licence fee waiver and discount policies

Proposed actions

- OEH to engage expert contractor to consult stakeholders and develop fee methodology
- Proposed methodology to be considered at Stakeholder Consultative Group meeting (mid-November 2018)

(d) NEW LICENSING SYSTEM

Robert Oliver noted objectives of the new licensing system are to enable online application, fee payment and reporting for all licence classes

Proposed actions

- OEH to demonstrate wildlife management system (WMS) for Stakeholder Consultative Group (mid-November 2018).
- Further stakeholder consultation on system design and implementation prior to Release 2 in 2019.

5. REVIEW OF REHOMING NATIVE ANIMAL PETS

(a) OPTIONS FOR ALTERNATIVE REHOMING PATHWAYS

OEH tabled a paper on the “pilot” rehoming day held on World Snake Day 16 July 2018, facilitated by Kellyville Pets, Central Coast Herpetological Society, Wildlife ARC and OEH.

John Grima (Kellyville Pets) and John Mostyn (CCHS) spoke about the rehoming day and its outcomes. All 39 pythons were successfully rehomed on the day

Peter Stathis discussed that a range of options for rehoming native animal pets are likely to be required, including collaboration with avicultural and herpetological societies at rehoming days and potentially reptile expos.

Robert Oliver introduced the agenda paper proposing a further option for consideration - licensed care and rehoming services.

Proposed action

- Stakeholders to review agenda paper and rehoming day outcomes and provide any views on the option of licensed care and rehoming services to OEH.
- OEH to prepare an options paper including formal role for avicultural and herpetological societies, rehoming days and licensed care and rehoming providers, for detailed discussion at next Stakeholder Consultative Group meeting.

(b) MICROCHIPPING INFORMATION PAPER

Robert Oliver introduced the circulated paper that provides background information on the microchipping and registration process.

OEH is seeking stakeholder comment on the voluntary uptake of microchipping of native animal pets and whether OEH should promote a specific microchip register.

Proposed action

- Stakeholders to review microchipping paper for detailed discussion at next Stakeholder Consultative Group meeting (mid-October).

(c) REGISTER OF NATIVE ANIMAL PET VETERINARIANS

Robert Oliver noted that the online vet register has been drafted to assist keepers and rehab groups locate vets with native animal expertise. Register currently includes 16 vet practices, of which four are in regional NSW.

Proposed actions

- OEH to publish vet register on OEH website
- Stakeholders to nominate additional vets for inclusion on the register

6. ITEMS FOR NEXT MEETING

Proposed agenda items for the next two meetings are set out below.

Members are invited to nominate additional issues for consideration at future meetings.

Second meeting – mid October 2018

- Consider advice from DPI on status of review of animal welfare standards for pets shops and keeping and trading birds.
- Consider advice from OEH and national wildlife crime investigation agencies on compliance implications of adoption of codes and simplified annual returns
- Consider update on progress of Queensland keeper and dealer licensing proposals
- Consider feedback from expert sub-groups on proposed changes to keeper species lists
- Review options for changes to keeper and dealer licences
- Review draft revised keeper and dealer eligibility requirements and licence conditions
- Review draft licensing administrative policy.

Third meeting – mid November 2018

- Review final proposals including options for changes to keeper and dealer licensing, licence eligibility requirements and licence conditions, revised draft codes and revised species list.
- Consider options for timing of implementation of proposed changes
- Review and advise on plans for community education program, licence fee review, new licensing system, and compliance and enforcement strategy.

APPENDIX 1

ATTENDEES

Sam Davis, Canary and Caged Bird Federation of Australia
 Brian Read, Finch Society of Australia
 Craig Jeffrey, Australian Birdkeepers Association
 Errol Wilson, Australian Birdkeepers Association
 Anthony Stimson, Herpetocultural Cooperative Network
 John Mostyn, Central Coast Herpetology Society
 Tina Chenery, Central Coast Herpetology Society
 Philip Grimm, Frog and Tadpole Study Group
 Mitchell Hodgson, Mammal Society of NSW Inc.
 Michael Donnelly, Mammal Society of NSW Inc.
 John Grima, Pet Industry Association of Australia
 Cindy Jackson, Jetty Pets
 Fay Jackson, Jetty Pets
 Brendan Neilly, RSPCA NSW
 Ken Francis, Animal Welfare League
 Brooke Noorbergen, Senior Policy Officer, Department of Primary Industries
 Clem Harris, Principal Policy Officer, Department of Primary Industries
 Audrey Koosmen, NSW Wildlife Council
 Shona Lorigan, NSW Wildlife Council

Richard Kingswood, Director, Conservation, NPWS
 Peter Stathis, Manager, Biodiversity and Wildlife, NPWS
 Julie McInnes, Supervisor, Biodiversity and Wildlife, NPWS
 Bonnie Dench, Assistant Project Officer, Wildlife Licensing, NPWS
 Robert Oliver, Manager, Wildlife Biodiversity Reforms, NPWS
 Hannah Lewis, Project Officer, Wildlife Biodiversity Reforms, NPWS
 Bronwen van Jaarsveld, Project Officer, Wildlife Biodiversity Reforms, NPWS
 Luke Francis, Graduate Project Officer, Wildlife Biodiversity Reforms, NPWS

Apologies

Rhonda Glover, Macarthur Herpetological Society
 Arthur White, Frog and Tadpole Study Group
 Nancy Agius, Extreme Pets
 Kim Filmer, A/Chief Animal Welfare Officer, Department of Primary Industries
 Suzanne Robinson, Director Animal Welfare, Department of Primary Industries
 Meredith Ryan, NSW Wildlife Council
 Leeane Taylor, WIRES
 Susan Crocetti, Manager, Wildlife, NPWS