



## Wildlife reforms

Version 230718

### Introduction

We would like to commend the OEH for reviewing current policies and license systems and the method of informing and allowing feedback from all stakeholders. Many issues around any animals are highly emotive and we look forward to better and fairer system in the trading of wildlife.

Our submission focuses only on the areas that are relevant to our industry and will not comment on areas where we have no expertise.

## 5. Keeping and Dealing licenses

### 5.1 Animal Keeper License

*Do you support the proposed staged approach to implementing a risk based approach top regulating native animal keeping?*

#### Reptiles/ Amphibians

It has always been our preference that a license system still remains for reptile/ amphibian breeder licenses because we feel that moving them to a code of practice will be perceived as non-protected and encourage poaching.

A code compliant system will also make it easier for those to have reptiles who perhaps didn't really want one and did not understand the expensive cost and special requirements to keep a reptile/ amphibian healthy. The ease of obtaining a reptile/ amphibian will lead to poor animal welfare outcomes.

A reduced record keeping approach as has been discussed would have been our preferred approach and a one-off license for a companion keeper of say 5 or less reptiles/ amphibians would have had the same result in reducing the need for ongoing licenses and record keeping for a large portion of reptile/ Amphibian keepers.

#### Our recommendation

We would ask that the limited number of reptile species that are proposed for code compliant retain a transferable one-off licence (similar to a fishing licence) where no fauna return or any administration be required so that there are still some basic requirements to have a reptile/ amphibian as a pet. From a welfare point of view, we believe that this will assist to prevent some from obtaining a reptile/ amphibian that didn't really want one in the first place.

Also in the cases of discovering someone who is obviously poaching from the wild, it would make a stronger case against them if they do not have one-off licenses. It also provides OEH with information of who has these reptiles and what species are out there. Once they are off licence this data will be lost.

### **Birds**

We agree with what is proposed to move most of class 1 to code compliant as we do not believe that birds have the same concerns for welfare as reptiles. The cost of setting up an aviary and the knowledge for class 1 birds is very similar to exempt birds. We also agree to move the current exempt 41 species to code compliant as their welfare is equal to the other birds in class 1.

### **Mammals**

We agree these 2 species be kept as is on license,

***Can you suggest any changes to the draft revised NSW Animal Keepers Species List to ensure specific species are subject to the appropriate level of regulation?***

### **Reptiles**

No suggestion

### **Birds**

We support Black Cockatoos (all species), Gang Gangs and Major Mitchel's cockatoo to kept under the current class one license as these have a high poaching potential. These cannot be moved to class 2 as it will have implications to dealers not being able to be traded in these species.

We believe that King Parrots and Crimson Wings should be made Code compliant as they are commonly kept birds and are similar in status as other currently protected, but to become code compliant birds such as rosella's, superb parrots etc. we believe they have less poaching potential to Black Cockatoos, Gang gangs and Major Michelle Cockatoo

### **Mammals**

We would support increasing the list to other easy to keep mammals as per other states so that we are in line. It is my understanding that there are no welfare issues in keeping these other mammals in other states and don't see why we should not be consistent, provided they are protected by a license system.

***Do you have any suggestions for improving the animal welfare and record keeping requirements in the draft codes of practice?***

PIAA will allow breeder groups to comment as we don't represent any breeders in this area

***Do you support a risk based approach to annual records for license keepers including simplified returns for class 1 and advanced keepers for licensed keepers, but retention of current animal record book requirements for keepers of venomous snakes?***

We agree

## **5.2 Dealer Licence**

***Do you support the retention of Licensing for pet shops that sell native animals and expanding the list of species they may sell?***

Since the OEH allowed the trade of reptiles in NSW, a system of accountability and requirement for knowledge was required to obtain a Dealer License. The system has worked well as it has limited the number of Dealers to a low number of applicants who are serious, genuine, prepared, skilled and able to run a Reptile Dealer premises. If pet shops were to be made exempt, it will allow pet shops with no real interest in reptiles to trade in them in order to make a fast buck. This will have poor animal welfare outcomes for reptiles which require expensive enclosures and specialised care.

The expansion to all class 1 species makes good sense as pet shops are 100% transparent, have a higher accountability by law and by reputation. It will encourage more first-time reptile/ amphibian/ specialist bird/ mammal customers to deal with a pet shop who are available 7 days a week for ongoing service and advice.

***Can you suggest any changes or improvements to the license conditions for licencing dealers and expos?***

In all Dealer license applications, we have had complaints on the time it takes to apply and obtain one. I presume because of all the reforms, this has affected the efficiency of the process. We would like to see a timeframe established for the process so that applicants understand the time required to review each applicant upfront to prevent frustration. We would still like to see applicants reviewed properly so that only those who are deserving and possess the skills obtain a Dealer License.

We have had feedback that there should be one Dealer License that lists what they are allowed to trade in and the appropriate fee applied. Ie a fee for each category Reptile, Amphibians, Birds, Mammals. All license fees should have an option to be paid annually or over an extended period for say 3 years.

**Advanced Dealer Licence**

There should also be an Advanced Dealer Licence for those expert Reptile Dealers to trade in a limited list of class 2 reptile. Some breeders would prefer to deal with a Dealer for security and bio security reasons and prefer to not allow unknown members of the public access to their valuable and rarer collections. The following suggestions are based on their availability, ease of care and husbandry. These selected reptiles have the same or very similar requirements as of those who are closely related species in class 1 reptiles.

Here are some recommendations and conditions regarding a proposed Advanced (Class 2) Fauna Dealer Licence.

- Store must have held a Class 1 Fauna Dealer Licence for a minimum of 3 years.
- Must have qualified and competent staff, that have their own Class 2 licences and are experienced in the care of the Class 2 Fauna Dealer Licence species. (At least one staff member must hold a current Class 2 licence employed within the business).
- A higher licence fee to manage accountability.

**Reasons for selection of proposed species**

- All proposed species are readily available or frequently bred in captivity.

- None are venomous or potentially dangerous.
- There is a wealth of husbandry information available as all species have been maintained in captivity for many years.
- All species can easily be housed in a shop retail environment.

#### Proposed Species;

- Arafura File Snake (2627)
- Frilled Lizard (2221)
- Red-barred crevice-dragon (2203)
- Nocturnal desert-skink (2428)
- Boyd's forest dragon (2243)
- Rough scaled python (2624)
- Green Tree Python (2616) \* Must either be sourced from within NSW or have documentation to prove Australian provenance).
- Centralian blue-tongue lizard (2577) \*Rare in captivity, but small numbers are bred each year.
- Short-tailed pygmy monitor (2264)
- Kimberley rock Monitor (2269)
- Merten's water monitor (2273)
- Spencer's monitor (2279)
- Pygmy rock monitor (2284)

In our view, there are no species of Amphibians or Birds that are currently on class 2 licenses that would be suitable as a class 2 Dealer.

To obtain a class 2 Dealer license, there would need to be a higher level of testing and skill requirement and time in the industry. There would need to be a much higher level of accountability, skill and enforcement requirement and this should be reflected in the license fee.

#### Reptiles

The current Dealer reptile enclosure sizes have some issues that were promised to be reviewed within 12 months of initiation of the NSW Reptile Dealer license (back in 2013). On at least 2 occasions, we have submitted details into the NAKCC, in particular to the size of hatchling python enclosures on many occasions. We fear most Dealers may not comply in this area due to the incorrect enclosure allocation for python hatchling enclosures. We have support of Reptile Veterinarians and those within Herpetological societies who are in the NAKCC committee for these minor but important changes.

The following is the amendment we would like to see changed as part of this review;

**Current: Python hatchling 40cm (total length) or less = 480cm<sup>2</sup> Floor area**

**Proposed new sizing: Hatchling pythons 70cm (total length) or less = 480cm<sup>2</sup> Floor area.**

*See below example of a typical dealer python hatchling enclosure Display Tank = 19cm wide x 27cm deep x 18cm tall = 513cm<sup>2</sup> Floor area.*



70cm python in a 513sqcm enclosure



40cm python in a 513sqcm enclosure

The 70cm hatchling python is quite a suitable size for this sized dealer enclosure and the PIAA can provide support from Herpetological groups and Reptile veterinarians should you require.

### **Birds**

The species proposed in class one (black cockatoos etc) to remain on license cannot be placed in a class 2 category because a Dealer cannot sell class 2 birds. We would like to maintain the trading arrangements as current ie being able to provide a companion license or sell to a class 1 license breeder.

### ***Should licensing also be required for persons undertaking the business of selling native animals over the internet or from their homes?***

A person/ premises who acts like a pet shop should also be licensed to ensure good welfare practices and compliance with good keeping practices and legislation. Those who buy and sell reptiles/ amphibians/ mammals and birds and/ or products, have a brand name, continuously marketing themselves and act like a pet store online, in residential premises should be subject to licensing and a higher level of accountability. We agree the criteria the ATO uses is consistent and should be adopted.

### ***If so what criteria should be applied to identify where online and home based breeding and dealing is undertaken as a business, rather than incidental to keeping native animals as a hobby?***

*The criteria could not be on numbers as there are hobby keepers with larger qtys that don't breed or breed often. It needs to be based on the intention to trade and act like a business.*

*The criterial that could be used;*

- 1. Brand names*
- 2. Websites by breeders that promote the sale of their native animals on a consistent basis*
- 3. Continual marketing*
- 4. Sell product*
- 5. Buying and selling*
- 6. Brokering*
- 7. The ATO criteria of a business*

## **5.3 Interstate import and export licenses**

***Do you support the retention of import and export licenses to monitor interstate movements of native animals?***

*We believe that import export permits should be retained for licensed native animals. Should we go code compliant with some native animals, there should be no requirement for import/ export license.*

***Should lower risk species be exempt from licensing, such as species regulated by a code of practice?***

*Yes as above*

***Should import and export licenses be discontinued for interstate movement of animals kept by zoos, wildlife parks and tourist attractions?***

*N/C*

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