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National Parks and Wildlife Service
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OEH Discussion paper: Towards a risk-based approach to wildlife licences

Thank you for the opportunity to comment on the OEH Discussion paper: Towards a risk-based approach to wildlife licences. As a long-standing wildlife rehabilitation organisation servicing a significant area of the NSW South Coast, Wildlife Rescue South Coast has concerns about the changes being proposed in regards to a risk-based approach to wildlife licences. Wildlife Rescue South Coast is not opposed to the concept of a risk-based approach. However, in the opinion of our association, many aspects of the approach proposed in the discussion paper do not adequately provide for the welfare and/or conservation of native fauna in NSW.

Our submission addresses a number of statements in the discussion document and we have wherever possible identified the specific area of the discussion paper being addressed.

General comment on Codes of Practice

As will be seen over the following pages, Wildlife Rescue South Coast supports the retention of licensing in almost all circumstances identified in the discussion paper. However, we welcome the development of further codes of practice, to be used in conjunction with (not replacements for) wildlife keeping licences. Currently, codes of practice for native animal keeping exist for birds and reptiles, but there appear to be few specified welfare requirements for amphibians or mammals. Existing codes should be reviewed to ensure they adequately meet contemporary science-based animal welfare standards and community expectations. For example, long-term enclosure sizes for reptiles appear to be

unacceptably small. Wildlife Rescue South Coast recommends that new codes are developed to cover all native species being kept.

1.3.2 Objectives and Benefits of a risk-based approach

Wildlife Rescue South Coast notes the proposal aims to introduce reforms that will deliver benefits including reduced costs and improved compliance. As an organisation focussed on animal welfare, we are concerned that improved animal welfare is not considered to be either an objective or a benefit of the proposed approach.

2.2 Flying fox orchard damage mitigation and other licences to harm

Although the discussion paper does not propose changes to the issue of Flying fox orchard damage mitigation, it is specifically noted and discussed in section 2.2. This is a matter which Wildlife Rescue South Coast has a great deal of interest and experience with.

We firmly hold that the current policy allowing harm to Grey-headed Flying-foxes (a threatened species) is a high-risk activity, with inadequate effective compliance monitoring.

Wildlife Rescue South Coast is concerned about the consequences of replacing licences with codes of practice for harming any protected species, as any such activity presents the risk of poor animal welfare outcomes in relation to inhumane killing, pain, suffering and distress. Thus, any activity involving harm or destruction of wildlife must be strictly controlled and monitored through a licensing system. A code of practice – even when supported by community education, is insufficient to safeguard animal welfare and address conservation risks.

3.3 Emu farming

Wildlife Rescue South Coast recommends that Emu farming continues to be a licenced activity. Licencing requirements for Emu farming are substantially similar to (DPI) requirements for breeders of other farm animals such as cattle and sheep. As with other aspects addressed below, licencing facilitates the collection of data including stock numbers, locations and movements which is necessary for accountability, transparency, compliance and biosecurity.

4.2 Protected birds

Wildlife Rescue South Coast recommends retaining the existing licensing arrangements in relation to harming / keeping protected birds. Wildlife Rescue South Coast recommends the development of a code of practice as suggested in the discussion paper, but this should be (a) aligned to other codes of practice provided under DPI regulations, and (b) that these codes be used as an adjunct to an appropriate licencing arrangement, not as a replacement.

4.2.3 Other native animals

Wildlife Rescue South Coast sees no relevant or convincing argument put forward in the discussion paper, or in other forums which would justify removing the licensing requirements to harm wombats or other protected animals. Wildlife Rescue South Coast is of the opinion that existing requirements for licencing in this regard are appropriate and should remain.

4.3 Catch and release of possums

Wildlife Rescue South Coast provides free 'catch and release' services for local residents and is aware of other organisations and individuals which provide similar services as a commercial endeavour. We are also aware of several studies in NSW and the Northern Territory which have looked at the survival of relocated (Brushtail) possums. Although these studies have involved small numbers of animals, they have indicated a relatively low survival rate, with illness, suffering and death being the most common outcomes (brought about through predation, territorial disputes, stress and MVA).

Wildlife Rescue South Coast considers that policies and regulations regarding this and other activities in the scope of this discussion paper must be evidence based, and while there is a lack of data on which to base regulation of possum catch-and-release, what evidence does exist is not encouraging. Wildlife Rescue South Coast therefore recommends that the current licensing arrangements stay in place until there is sufficient data on which to base a less rigorous approach.

Further, Wildlife Rescue South Coast recommends that the OEH should support further research into welfare outcomes of wildlife relocation (and release) on which to base decisions about appropriate governance of these activities.

4.4 Catch and release of reptiles

Wildlife Rescue South Coast recommends retaining licensing for catch and release of reptiles. The same arguments apply for this issue as for the catch and release of possums. However, it differs in that there is a growing commercial interest in the sale and trade of reptiles in Australia.

Wildlife Rescue South Coast notes that it is not unusual for individuals engaged in the catch-and-release of reptiles to also have an interest in keeping, breeding and dealing reptiles for profit – a situation that presents a significant potential for conflict of interests.

Wildlife Rescue South Coast understands that there is an element engaged in the catch-and-release of reptiles that is illegally retaining animals either for their own collection, or for sale. Wildlife Rescue South Coast understands that a proportion of the seizure of reptiles poached from the wild is incidental to other crimes (for example reptiles being found in the premises of offenders during raids targeting other illicit activities such as distribution of illicit drugs). Consequently the actual scale of illegal poaching and dealing of reptiles is unknown.

In this environment, it would not be appropriate to lower the level of regulation of reptile catch-and-release activity. If anything, greater effort should be made to improve compliance monitoring in this area.

5.1 Animal keeper licences

Wildlife Rescue South Coast opposes the discontinuation of Native Animal Keeping licensing, largely based on the increased risk to native animal welfare. The risk-based approach proposed will not adequately protect the welfare of native animal species.

Wildlife Rescue South Coast strongly recommends that whatever approach is taken, it is vital to have in place a registration system that requires mandatory data collection, monitoring and transparency (through reporting) in the keeping and dealing of native animals - to ensure accountability and to safeguard the welfare of wildlife.

It is essential that OEH have a record of the names and addresses of keepers of protected native species. Without a system that retains details of keepers' names, addresses and their animals, it would be impossible to ensure compliance with whatever codes or regulations are in place, as authorities would not have sufficient information available to them. Details of compliance arrangements are noticeably lacking in the discussion paper, which militates against making decisions on a future approach – with inadequate plans and details on which we can comment.

As noted above, Wildlife Rescue South Coast advocates a system that allows for the identification of each keeper or dealer and their animals, which we believe is essential for good governance and control (i.e. allowing traceability, transparency and accountability).

Wildlife Rescue South Coast notes that mandatory protections are in place (and are in the process of being strengthened) for keepers and breeders of cats and dogs. For these companion animals microchipping and registration (and breeder registration) provides a formal tracking system for authorities to monitor these species and the people who keep, breed and sell them. These regulations are designed to protect the welfare of cats and dogs, and to prevent and address animal cruelty practices.

The National Livestock Identification system provides similar information, allowing regulatory authorities to trace individual farm animals back to their original property. We understand that DPI is currently developing a requirement to microchip and register horses in NSW. Removal of a formal licensing system for wildlife keeping would be out of step with the protections given to other animals in NSW – protections that are currently being strengthened, not deregulated.

Removing the current licensing system and the consequent loss of monitoring and transparency will create significant welfare risks to tens of thousands of native animals with the likely result being a significant negative impact on their wellbeing.

5.1.2 Proposed risk-based approach to keeper licensing

Companion animal class

Wildlife Rescue South Coast does not oppose moving to a code of practice for wildlife maintained as companion animals as described in the discussion paper, provided that the requirements of the codes are clear and enforced. Wildlife Rescue South Coast supports this proposal on the basis that this class must be limited to the current species list, and that a maximum of two animals be kept under this arrangement.

Class 1 - Basic animal keeping

Wildlife Rescue South Coast believes this class of animal keeping should remain licensed. In the past, we have asserted that the increase in hobbyists keeping reptiles would lead to a corresponding number of pet reptiles being surrendered or abandoned. The latest statistics provide evidence that our fears were justified. Wildlife Rescue South Coast has also expressed concern that removal of licensing would lead to an increase in impulse-buying.

RSPCA NSW agrees that preventing / dissuading impulse buying of native animals will assist in promoting responsible pet ownership. Reptile keeping is a relatively new hobby and people who impulse-buy reptiles may be unaware of the hidden costs of maintaining healthy reptiles at the time of purchase. Several veterinarians have told us that they have noticed an increase in the number of reptiles being brought to clinics with symptoms reflecting inadequate husbandry practices, and we have also seen reptiles being brought into the care of wildlife groups such as ours, displaying similar symptoms (that is, animals in poor condition, with no evidence of illness or trauma).

Thus, for animal welfare reasons, Wildlife Rescue South Coast recommends that licensing of class one reptiles be maintained, and suggests that OEHL take steps to streamline the process, rather than replace it with a code of practice.

Class 2 - Native animal keeping

Wildlife Rescue South Coast supports the retention of licenses for this class, and suggests that the proposed risk assessment tool is inadequate for calculating the risk to animal welfare. In general, we oppose the proposition that the process of reclassifying or adding native animals to a particular classification should be something to be encouraged or facilitated. We submit that rather than facilitating or streamlining the process of re/classification that OEHL should be ensuring that a thorough, robust approach to reclassifying animals is carried out.

Wildlife Rescue South Coast believes that the determination of what constitutes 'risk' is too narrowly defined in the discussion paper, and there is little evidence provided to support the classification of an animal as low, medium or high risk. What information is provided appears to take too little into account in determining the risk (or to whom the risk applies).

it is unclear if the 'risk' is to the animal, the keeper or the community, and does not seem to adequately take into account the risks to animal welfare, biodiversity, biosecurity, conservation, or the risk of animals being taken illegally from the wild. In any competent risk analysis in this space, the welfare risks must be determined for each animal (regardless of species) as cruelty and poor husbandry impacts on individuals regardless of whether one animal is kept by an individual, or many animals are kept in large-scale commercial operations.

Keeping of native mammals

Wildlife Rescue South Coast is aware that currently only two species of native Australian mammals are allowed to be kept under licence. We are also aware that there are notable individuals actively lobbying for additional native mammals to be kept as pets.

Wildlife Rescue South Coast continues to oppose the keeping of native mammal species as pets for a range of reasons, related to animal welfare and the capacity of the general public to support the needs of Australian native mammals. This includes the husbandry requirements and awareness of the risks of cohabitation with exotic or companion animals (which in the case of cats and dogs are predator species). It is also a case that there are limited support services, with (for example) few vets knowledgeable in the treatment of native Australian mammals. There is also a perception by the general public that abandonment of native animals is not an issue of concern, as they will be 'returning them to the wild'. In reality, captive bred animals may not have the capacity to survive in the wild, may be susceptible to threats such as ticks (with low or no immunity), may cause problems for the gene pool if introduced to the wrong environment, and could introduce diseases from companion animals to the wild population.

Wildlife Rescue South Coast does not support the removal of licensing for keeping native mammals, and opposes any suggestion that additional species be added to the list.

5.1.3 Staged approach to implementing risk-based regulation

Wildlife Rescue South Coast does not support many aspects of the proposed restructuring of licensing arrangements, and therefore does not support a staged approach to its implementation.

5.2 Dealer licences

Wildlife Rescue South Coast recommends retaining licencing arrangements for all dealers. We believe that doing so is essential in order to ensure native animals have been legally sourced (not taken from the wild). Wildlife Rescue South Coast does not support a proposal to expand the list of species that may be sold by licensed dealers.

Wildlife Rescue South Coast supports the RSPCA (NSW) proposal that education initiatives should be combined with the current licensing system to raise awareness regarding issues such as; avoiding buying from a person without a current licence and; taking steps to

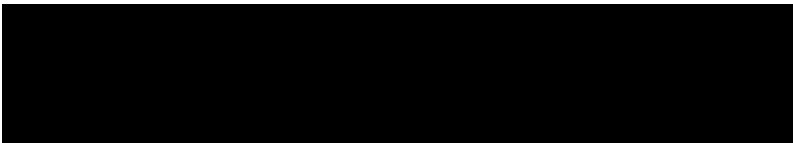
ensure animals have not been captured from the wild (by being able to check breeder details).

We believe that persons undertaking the business of dealing (selling, trading or giving away) native animals from their homes, or over the internet should be licensed. Whether a large commercial dealer or an individual hobbyist, we cannot assume that proper welfare standards have been maintained, or that animals have not been sourced from the wild. There is no reason why individuals should be exempt, so any online dealing must require a licence, and those licence details must be provided in any advertisement regardless of the channel of being used. Likewise, the dealer must see evidence that a prospective buyer holds a current, relevant licence to keep native animals.

5.3 Interstate import and export licences

Wildlife Rescue South Coast recommends keeping import and export licences for interstate animals are retained, as the only way of tracking animal movement across state borders, to preserve and provide transparency and accountability.

Sincerely,



Richard Woodman
President
Wildlife Rescue South Coast Inc