

9th September 2022  
South Gippsland Shire Council

**RE: Review of Domestic Animal Management Plan 2022**

To whom it may concern,

Animal Care Australia (ACA) is a national incorporated association established to lobby for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care.

ACA is currently recognised by **Agriculture Victoria, Department of Jobs, Precincts and Regions** as a key stakeholder in their new animal welfare legislation and will be directly consulting and advising during that review, including revising codes of practice for the keeping of all pets.

ACA encourages continued development of animal welfare standards and Codes of Practice for animal husbandry, breeding, training, sale, and sporting exhibitions for a wide range of animal species, including pets, companion animals, animals used for educational or entertainment purposes or kept for conservation.

ACA strongly encourages all councils to promote and encourage the keeping of animals as pets as they provide extraordinary mental health benefits for all of us. Any restrictions only serve as a detriment to pets and those wishing to keep them.

ACA acknowledges Council's announcement seeking public consultation in readiness to draft your **Domestic Animal Management Plan 2022** and thank you for the opportunity to comment.

However, in relation to the survey, ACA has found the use of surveys and in particular their results to be ambiguous, unreliable, and requiring further detail or explanation. To this effect, we have opted to respond in writing to ensure our views are not lost within the statistical reporting process of a survey and in doing so providing inaccurate feedback.

**ACA does not agree with or recommend imposing blanket limits on numbers of animals that can be kept especially when based under the guise of animal welfare or the prevention of potential nuisance claims.**

Animal welfare is NOT about numbers – it is about the conditions, behavior, cleanliness, housing, and husbandry that each animal is kept under by the owners – your residents.

Policies that restrict keeping of animals based on preventing noise, odour or other issues for neighbours are strongly discouraged. Restrictions including permit requirements inflict an unnecessary compliance burden on residents and staff which only discourages animal keeping needlessly. Laws are already in place to deal with neighbourhood nuisance issues including matters due to poor animal keeping practices. Hobbyists are passionate about improving the health and temperament of their animals. ACA understands the need for Council to monitor hygiene, nuisance and health-related issues that may arise from the keeping of some animals and these issues can be dealt with by utilising the existing Acts listed within your policy without the need for an additional Policy that restricts the numbers of animals that can be kept.

**ACA has the following comment and recommendations in relation to particular species:**

**Dogs and Cats:**

ACA acknowledges current Planning Laws require some restriction on the number of dogs and cats able to be kept without an Excess Animal Permit – however we note Councils restriction of just 2 is less than what is legislated.

ACA is currently pursuing the planning minister to bring about a removal of the limitations on keeping animals.

**Small mammals:**

Imposed limits on the permitted number of rats, mice, rabbits, and guinea pigs which may be kept by an individual on their property are unrealistic. Many of these animals are colony animals, and it is important for their health and well-being to be kept in larger numbers than your policy imposes. In addition, the policy goes against scientific research (*Short Communication: Rats Demand For Group Size - Journal of Applied Animal Welfare Science 7 (4) 267-*

272 – 2004) into ideal colony numbers for rats, which have demonstrated that the numbers in your policy are not compatible with the fulfillment of basic social needs and high welfare standards. As companion animals allowing more appropriate colony sizes poses no threat to community, health, or animal welfare.

Rats, mice, rabbits, and guinea pigs are primarily indoor pets and invariably kept in small enclosures. These animals do not exhibit extreme noise, are not intrusive and are free of the diseases and pathogens that often plague their wild counter parts. In fact, they pose no health problem to their owners and are renowned for keeping themselves well groomed. For the Club registered breeding community, the proposed limitations are also unrealistic, especially given the average litter size for some of these species is larger than the proposed limit suggesting that these proposals have not considered the biology and needs of some species. Additionally, due to their short lifespans it is vital that several adult pairs be kept at any given time to ensure that the quality of the gene pool is maintained – without allowing owners to keep ‘breeders’ the health of the species will invariably suffer. Owners of these smaller pets work to improve the quality of the animal in health and temperament and the Clubs mentioned above have policies for registered breeders who are bound by their published Code of Ethics and Code of Practice along with provisions provided with the current Prevention of Cruelty to Animals Act.

**Birds:**

The proposal relating to the keeping of birds is the most questionable. Clearly no one has consulted on bird numbers and most importantly bird welfare.

Restrictions based on numbers of birds are archaic and reflective of animal rights ideologies. Birds come in a range of sizes and temperaments, many are flock species, there is a broad range of alternative and legitimate management and housing systems and numerous other factors. For birds, where hundreds of different species are being regulated, numbers are simple for legislators but inappropriate for ensuring sound animal welfare standards.

ACA strongly recommends Council excludes the restriction of birds when the resident is keeping their birds in compliance with Agriculture Victoria’s *Code of Practice for the Housing of Caged Birds*.

<https://agriculture.vic.gov.au/livestock-and-animals/animal-welfare-victoria/domestic-animals-act/codes-of-practice/code-of-practice-for-the-housing-of-caged-birds?>

ACA encourages council to refer residents to the *Code of Practice*. If numbers are to be restricted, then doing so according to this code has legitimacy. Council may like to consider Logan City Council’s approach, which is based on a similar Queensland code - <https://www.logan.qld.gov.au/aviary-birds>.

ACA strongly recommends the removal of restrictions on birds and small mammals and instead implementing an open policy with an appropriate caveat that indicates numbers may be restricted or require permitting if a resident is found to continue to have animals in such numbers, or situations that create a public health concern, smell, or excessive/continual noise complaints in the same way many other Councils have.

ACA finds it indefensible that Council would use a permit system that is implemented on an unrealistic selection of numbers, which have not been satisfactorily consulted on with the experts/major stakeholders and has no correlation with improving animal welfare.

ACA has references to support this submission and will be happy to supply them on request. Should South Gippsland Shire Council wish to review your current policy restrictions ACA offers our expertise to recommend more suitable categories and less restrictive numbers.

Please do not hesitate to make contact if we can assist further.

Kind regards,



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President  
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