

19<sup>th</sup> October 2021

Macedon Ranges Shire Council

**RE: Macedon Ranges Shire Council – Domestic Animal Management Plan 2021-2025**

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 2021-2025** 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 is also disappointed in the lack of response from the appointed contact for this review. ACA phoned the contact number seeking to request a hard copy of the survey in a bid to gain an understanding of the information Council is seeking, but to no avail as there has to date, been no reply. As such your survey results will be inaccurate as we were left with no option but to complete the survey to obtain that understanding, therefore being forced to provide false information so as to proceed through the survey.

ACA would **STRONGLY** suggest that should Council decide to utilise surveys as part of public consultation you do not make the field responses mandatory. Public consultation surveys can then be viewed online without the need to complete and provide misleading information or to rely on non-responsive administrative staff.

ACA notes within your current Domestic Animal Management Plan a strong emphasis on education around animal welfare and we welcome that and strongly encourage it's continuance. Council should continue to educate residents about what happens to unwanted animals and encourage responsible pet ownership rather than concentrating on enforcement of number restrictions.

Sadly, education appears to be a component lacking within Council and it's Animal Management Team and rangers.

ACA has members who reside within the Macedon Ranges Shire Council (MRSC) and we have been made aware of multiple cases of Council not accepting or understanding the concept of an 'Applicable Organisation' – namely Dogs Victoria or how the 'Domestic Animal Business' legislation is designed and functions.

ACA is also appalled to be advised that the MRSC has chosen to re-zone some land to circumnavigate requirements and the issuing of additional Excess Animal Permits, as well as the horrific stance taken by Council Rangers in ordering some residents to either surrender their long-time companions or have them euthanised, when the most logical, compassionate approach would be to grant Excess Animal Permits that expire upon the passing of the excess animals (also known as a grandfather clause). This option is available to Council.

This lack of compassion by Council has not gone unnoticed and is the subject of ACA's ongoing communications with the Municipal Association Victoria, Planning Victoria and Animal Welfare Victoria, as well as Ministerial members.

ACA also holds concerns that the MRSC's current Animal Management Officer is an ex-RSPCA Vic employee. RSPCA Vic is widely known to support and promote animal rights ideologies, or perhaps there is potential bias having seen the worst case scenarios? This is apparent in the attitude and responses emanating from that Council department.

The MRSC's inability to appropriately understand existing legislation is highlighted by the attached Annexure 1.

ACA offers our expertise to Council moving forward and our individual species Representatives are more than happy to provide advice and education.

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

Regards,

A handwritten signature in black ink, appearing to read 'M Donnelly', with a stylized, cursive script.

Michael Donnelly  
President, Animal Care Australia.  
0400 323 843

## Appendix 1

### Issues and complaints concerning the Macedon Ranges Shire Council

1. Originally Excess animal permits were due on 10<sup>th</sup> April every year to coincide with Dog registrations. This blew out to the 30<sup>th</sup> April and then the 30<sup>th</sup> June. This makes it harder for residents to keep track of them.
2. In 2019 a number of breeder/members did not receive their renewals. These were principally those who had ticked Breeding and Showing, that is carrying out BOTH activities, on the form the previous year. When the forms were not received phone calls were made and emails sent. The excuses from Council ranged from:
  - a. the forms are at the printers
  - b. you are in the next mail out and then finally
  - c. your case has been sent to the planning department, who ultimately never contacted anyone.
3. With constant phone calls and emails to Council, letters were received by 2 members giving them just 30 days to get their numbers down to two dogs, with additional stipulations that there was to be no breeding, rearing of puppies or 'studding' dogs on the aforementioned properties or they would be prosecuted to the full extent of the law. This was despite the fact that all these dogs were registered. **CONTRARY to existing legislation.**
4. A separate member who received the same letters and has been forced out of the Shire, in order to keep their dogs.
5. Members who decided to fight the Council's INCORRECT (potentially unlawful) decisions were given no help by MRSC, instead experienced delaying tactics, requiring some members to obtain legal representation.
6. Members were told that they had to prove existing land use (15 years) as Shire only had 4 years of records. Amazingly when a FOI was applied the other records were found some six months later.
7. Letters from vets attesting to the numbers of dogs are ignored.
8. Members are receiving harassing calls chasing up on permits and being told they need permits to breed. This is contrary to the purpose and provisions of the Applicable Organisations (AO) recognition and the Domestic Animal Business (DAB) legislation. Those members are covered by the AO and do not have enough fertile bitches or wish to be a DAB.
9. In relation to the DAB, MRSC have asked questions such as where are the Tea rooms and parking? This for a person wanting to renew a 6 dog permit?
10. A member applied for a Planning permit to keep and breed. This application was successful. The MRSC then changed it to an Excess Animal Permit and then withdrew it. This is currently being legally fought by that member.
11. MRSC has a major lack of communication issue from the various officers, who fail to reply to concerns, despite constant weekly email attempts.
12. There is nothing in the Council rules or Bylaws that states the MRSC can rescind an Excess Animal permit without notice which is what Council has done. **CONTRARY to Council's own By-laws.**
13. A Council employee advised one member that all dogs from birth required a permit. That is, if that member has 8 dogs and one has a litter of 8 you then require a 16 dog permit. **CONTRARY to existing laws.**
14. A member who had a permit was told to reduce the number of fertile males! When the MRSC was advised that the member needed dogs to be entire to Show, they responded that the member can show neuters. Unlike cats, neutered dogs are not eligible for major awards.

All of this highlights Council's inability to show compassion and to favour and support the keeping of pets by its residents. A failure to meet Council's own purpose of a Domestic Animal Management Plan – ***"promote responsible ownership of dogs and cats in the community."***