

5<sup>th</sup> August 2023

Yarra City Council  
City Laws Team  
E: info@yarracity.vic.gov.au

**RE: Council Order Review of the Domestic Animal Management Plan (DAMP) 2021**

Dear Mayor & Councilors,

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 **Animal Welfare Victoria** as a key stakeholder in the review of Victoria’s Animal Welfare Act and its associated regulations. ACA is directly consulting and advising during that review, including the future revision of 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 is engaged with state governments to develop more appropriate model Local Laws and model Subordinate Local Laws governing the keeping of animals in each state.

Nationally, ACA is finding Local Councils placing restrictions and permit requirements on their residents which do nothing to improve animal welfare and tend to lead to greater non-compliance. We note Council’s current Domestic Animal Management Plan which was approved in 2021 is no exception to this overreach and over restriction. We implore Council to re-consider its restrictions when the DAMP is due to be reviewed in 2024-25.

To this end, ACA would like to make the following statements in reference to the current Council Order:

ACA applauds Council on its plans to educate residents on a range of domestic animal issues and we trust this will continue in the next DAMP.

**Do you support the proposed introduction of a nighttime cat curfew?**

Animal Care Australia supports cat curfews/containment that require cats to **remain on their owner’s property** 24/7.

Nighttime curfews have a limited impact on the issues relating to roaming cats. 24/7 containment within the property would solve the majority of issues with domestic pet cats being a nuisance, injured/killed, and unwanted pregnancies adding to the cat population. As we know majority unwanted kittens that fill the shelters come from accidental litters from un-spayed pets. These also benefit native wildlife.

Animal Care Australia supports containment laws that have exceptions for cats that are ‘walked’ on harness and lead in the same manner as applies to dog owners. Councils current wording for ‘cat curfew’ requires to be re-worded carefully to specifically apply to free roaming cats, and exempts “supervised” cats, such as those trained to walk on a lead, or otherwise under their owner’s control, such as in a cat carrier/bag.

These exceptions are not clear in the Council Order, the Local Laws or in the Domestic Animal Plan and are vital in ensuring cats can still receive additional exercise and their owners have the ability to transport cats when necessary.

Animal Care Australia has noted that when introducing a curfew or containment laws many Councils have failed to provide appropriate notice and education on proper containment methods, as well as insufficient 'phase-in time frames'. An owner cannot just simply lock their cat up without providing the cat sufficient time to be re-accustomed to their new restrictions. Additionally, the installation of cat runs and other externally constructed enclosures come at a great cost. A cost that is often unreasonable when 'sprung' upon an owner which needs to be considered by Councils, especially in this current cost of living crisis.

Therefore, Animal Care Australia strongly recommends that some form of assistance is provided by Council for cat owners to construct appropriate containment enclosures, as necessary for the containment laws to be effective. Many Councils interstate now recognise the need to consult and assist residents to contain their cats in a similar manner to assisting owners with declared dangerous dogs. That is, providing assistance with approval processes for the construction of enclosures etc.

**Do you have any comments about the Council Order?**

Animal Care Australia supports the Council Order – with the added caveats outlined above regarding the cat curfew/containment.

**General comment:**

Animal Care Australia 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. Most restrictions only serve as a detriment to pets and those wishing to keep them.

**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 the 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.

Animal Care Australia's primary objective is 'education over regulation' and always commend Council's wherever they seek to further the education of their residents.

Animal Care Australia is disappointed with Council's use of a survey as the only form of consultation, especially when the text box for reply is limited to such a small set of characters. This is NOT a proper opportunity for the public to consult. Limiting location and identifying questions to just local residents gives the impression Council is not seeking stakeholders (organisations) to consult.

Animal Care Australia 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 individual Councillors to ensure our views are not lost within the statistical reporting process of a survey and in doing so providing inaccurate feedback.

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

Kind regards,



Michael Donnelly  
President  
0400 323 843

## **About Animal Care Australia**

As a nationally recognised animal welfare organisation, 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, animals used for educational or entertainment purposes or kept for conservation, and in particular native birds, reptiles, and mammals.

ACA was founded in early 2018 to establish an organisation run solely by volunteers to lobby for real animal welfare. With extreme animal rights and animal liberationist ideologies influencing government legislation, regulation, and policy at our expense and to the detriment of our animals and pets, it has become necessary to provide government with a balancing voice.

By uniting the broad spectrum of animal groups, collectively we offer an experienced, sensible approach to animal welfare. We estimate our foundation ACA clubs currently represent well over 150,000 members and that is just in NSW alone!

By educating our members and the public about the importance of treating animals with kindness and respect for their needs and promoting the humane treatment of animals to improve animal welfare outcomes, Animal Care Australia is in the unique position of lobbying and advocating for all animals within our care.

Animal Care Australia provides priority to the following:

- lobbying government for stronger welfare outcomes
- lobbying government to increase education of the public in animal welfare and best care techniques
- educate the public on handling their animals with kindness & respect and the importance of their needs
- educate the public in the differences between animal welfare and animal rights