

26th September 2023

Mayor & Councillors,
Moreton Bay Council

E: local.laws@moretonbay.qld.gov.au

RE: Moreton Bay Regional Council - Review of Animal Management Local Law – follow-up

Dear Mayor & Councillors,

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.

Animal Care Australia is currently recognised by **the Department of Agriculture and Fisheries** as a key stakeholder in the review of Queensland’s Animal Care and Protection 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.

Animal Care Australia 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.

To this end, Animal Care Australia would like to remind Councillors of the key points outlined within our previous correspondence relating to your Animal Management Local Law:

Species Specific comments:

Restrictions on the number of **dogs or cats** permitted on a property.

Animal Care Australia questions the proposed new limit quoted in your ‘**Local Laws Review Communication and Engagement Summary Report - August 2023**’:

Increase the number of cats and dogs allowed to be kept on properties under 300m² to two animals (e.g. two dogs or two cats or one dog and one cat)

COLUMN 1 Animal	COLUMN 2 Nature of premises and size of allotment	COLUMN 3 Maximum number that may be kept <u>without an approval</u> granted under this Local Law	COLUMN 4 Maximum number of animals that may be kept <u>with an approval</u> granted under this Local Law (in addition to the animals that can be kept under Column 3)	COLUMN 5 Circumstances where the keeping of animal or animals is prohibited.
<i>Cats and dogs (other than regulated dogs)</i>	Per site in a caravan park or camping ground	0.	No cats or dogs can ordinarily be approved.	1 A person must not keep 7 or more dogs on any allotment.
	Per site in a relocatable home park	1 cat or 1 dog with written permission from the park owner.	No further cats or dogs can ordinarily be approved.	2 A person must not keep 7 or more cats on any allotment.
	Per dwelling in a multi-dwelling complex (any size)	2 of any combination with written permission from the body corporate, i.e. - 1 cat and 1 dog; or - 2 cats; or - 2 dogs.	No further cats or dogs can ordinarily be approved.	3 A person must not keep 3 or more regulated dogs on any allotment.
	0m ² - 599m ²	2 cats or dogs of any combination, i.e. - 1 cat and 1 dog; or - 2 cats; or - 2 dogs.	No further cats or dogs can ordinarily be approved.	4 A person must not keep any cat or any dog to a vacant allotment.
	600m ² - 3,000m ²	2 cats and 2 dogs	1 cat and 1 dog.	5 A person must not keep a restricted dog.
	3,001m ² - 10,000m ²	2 cats and 2 dogs	2 cats and 2 dogs.	
	10,001m ² and over	4 cats and 4 dogs	2 cats and 2 dogs.	

The table (as shown above) in Council's original proposal included two animals (e.g. two dogs or two cats or one dog and one cat) on a land size of 0 – 599m².

Is Council now reneging on land sizes between 300-599m² requiring permits? There is no mention of what is to occur following this new land size adjustment.

Animal Care Australia reminds Council that the restrictions for land sizes under 10,000 m² without a permit are irrational especially where the animals in question are not being used for breeding, are desexed, and contained effectively in a way that doesn't cause a nuisance to neighbouring properties.

Birds – Aviary, Fowl and others

Animal Care Australia welcomes the adjustment for aviary birds:

Aviary birds: number of birds allowed to be kept will be revised, based on the Code of Practice - Aviculture. Queensland Department of Agriculture and Science (DAS) Code of Practice—Aviculture under the Nature Conservation Act 1992 s.174A.

https://environment.des.qld.gov.au/data/assets/pdf_file/0032/89690/cp-wm-aviculture.pdf

Animal Care Australia is seeking assurances from Council regarding large parrots. Large parrots were previously excluded on all properties up to 1000sqm. Animal Care Australia would like Council to confirm their intention is to permit the keeping of large parrots when kept as specified under the DAS Code of Practice - Aviculture.

Council may like to consider Logan City Council's approach, which is based on the DAS code -

<https://www.logan.qld.gov.au/aviary-birds>.

Horses, ponies and donkeys

The maximum number of horses, ponies, donkeys or miniature horses should be increased from 1 per 4000m² to 1 per 3000m². Council has currently set the minimum land size for 1 horse at 6000m², however only one horse would be permitted.

This is a serious welfare issue, as horses are herd animals and absolutely cannot be kept alone. If Council is prepared to allow horses (particularly smaller breeds) on 6000m², then the per horse number should be brought to 3000m², so that 2 horses can be kept in those properties. Animal Care Australia sees no difference in keeping 2 horses on 6000m² when Council is permitting 2 cows on the same land size.

The current policy does not take into account the management system of the animals, the type of property (whether the land is cleared and level, or bush and steep, or contains waterways), and the welfare needs of the animals. The keeping of animals on a property should focus on how the animals are managed and whether the animals are managed in a way that improves the land or degrades it.

A property that is properly set up with equicentral, cell grazing or other rational grazing systems can support many more animals in higher welfare conditions than poorly maintained land with set stocking of only 2 animals. Proper grazing management also protects properties against fire, and limiting numbers of animals will lead to higher fuel loads and neglect of harder to manage areas, as land owners' focus on the easier and cheaper to manage areas. This comes to the detriment of native species in the area, as well the human inhabitants and their horses and livestock.

Horses and livestock are herd animals, and should be kept in groups of more than 2 to meet their welfare needs and herd dynamics. Not doing so will create welfare issues for the animals in your Shire.

The policy only serves to punish good land managers, and negatively affects the welfare of their animals, and the productivity and appearance of their land. At worst it is discrimination of small acreage owners, preventing them from following proven farming principles utilising grazing behaviours of horses and livestock to properly manage their grazing lands.

Quality rural fringes are diminishing and poor acreage property planning such as these proposed animal numbers is contributing to the degradation and misuse of land, further feeding the perception that animals are to blame for the loss of land quality. This is a misconception, and can be rectified with education - of councils as well as of landowners.

Instead of limiting the numbers of horses and livestock to unrealistic, unhealthy and poor welfare standards, Council could invest in property management programs and workshops for acreage owners in the Shire. Courses that educate those who are new to the rural lifestyle on how to manage small acreage with animals, identify grass species and weeds, how to protect waterways and natural resources, and preserve native animal habitats on their land has been hugely successful in NSW and Victoria, with little to no cost to participants. These programs are easy to run, and encourage land owners to see the value of their investment, and take pride in looking after the land and their animals to a high standard. This benefits everyone in the Shire.

Small mammals – mice, rats or guinea pigs

Animal Care Australia is extremely disappointed that there is no noted change within the **‘Local Laws Review Communication and Engagement Summary Report - August 2023’** to the proposed restrictions for small mammals especially given the confusing determination of numbers.

Animal Care Australia finds the table of permitted numbers confusing and the number restrictions have been clearly determined without any knowledge of the species in question.

The use of allotment sizes in relation to these particular species is absurd. Mice and guinea pigs vary in size difference and the limitation of these to the same square metre has clearly not been taken into account.

How is the size of an allotment relevant to keeping animals that weigh between 10grams and 1kg?

Additionally why are no greater than 10 animals able to be kept? If Council insists on using allotment size why is not possible to keep more animals in larger allotments?

AGAIN: Clearly a decision on bias or uneducated views and not animal welfare!

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, 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 counterparts. In fact, they pose no health problem for 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 taken into account the biology and needs of these species.

Additionally, due to their short life-spans 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 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 Animal Care & Protection Act.

In closing:

It is apparent by the level of restrictions that Council has decided to ignore our species experts. It is beyond comprehension that a Council would instigate and implement restrictions on numbers of pets/animals able to be kept by its residents.

Animal welfare is NOT about numbers or neighbourhood amenity issues – 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 on the basis of 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 strongly recommends the removal of restrictions currently remaining on small mammals 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.

Animal Care Australia has references to support our submission and will be happy to supply them on request. Should the Council wish to persist with your current policy restrictions, Animal Care Australia offers our expertise to recommend more suitable categories and less restrictive numbers.

It should be noted that Animal Care Australia will be making this submission public and is prepared to follow the outcome of this draft Animal Management Local Law.

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. Any restrictions only serve as a detriment to pets and those wishing to keep them.

Ironically, on the same day Animal Care Australia is writing to you to express disappointment and clarification regarding your Animal Management Law, we have written to Coorong District Council in South Australia to commend and congratulate them on their approach to supporting the keeping of pets and implementing a Plan that provides a balanced approach that appreciates animal welfare, and neighbourhood expectations.

Should Moreton Bay Regional Council continue to persist with restricting numbers, then Animal Care Australia requests Council convene a meeting with us to enable our species representatives to directly address Council and provide a more concise position.

This response will be listed publicly on the Animal Care Australia website.

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

Kind regards,

A handwritten signature in black ink that reads "M Donnelly". The signature is written in a cursive style with a large, stylized 'M' and a long, sweeping underline.

Michael Donnelly
President
0400 323 843