

12th May 2024

Banyule City Council
Justine Busuttil,
Municipal Laws and Public Assets Coordinator
E: justine.busuttil@banyule.vic.gov.au

RE: Public Order Review - dogs and cats in public places

Animal Care Australia is a national incorporated association established to consult with government in advocating 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 Animal Welfare Victoria as a key stakeholder in the review of Victoria’s Animal Welfare Act and its associated regulations. Animal Care Australia 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.

Animal Care Australia 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, Animal Care Australia 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.

Animal Care Australia DOES NOT SUPPORT the single use of surveys as a means of consultation. It is inappropriate for Council to claim you have consulted when organisations are not actually able to lodge a written submission. Surveys are misleading and provide for irresponsible statistical analysis.

It is vital that Councils support the keeping of all pets within their shires/municipalities and that Councils consult with the appropriate stakeholders when looking to address the many myths or phobias that are expressed by uneducated members of the public, in relation to the keeping of some animals.

Animal Care Australia also commends Council on your approach and policy of educating your residents on the requirements for the control of dogs and cats in public places as a first approach to enforcement.

Stakeholder Feedback (page 12)

This discussion paper has been referred to the following stakeholders and will contribute to and support well informed decisions to consider appropriate options.

- Banyule Environment Climate Action Advisory (BECAA)
- Banyule’s internal Environment Team
- Cat Protection Society

No concerns were identified by these referral groups with both the Environment Team and the CPS providing direct support to the introduction of a cat curfew that restricts cat movement on public land.

Animal Care Australia notes the lack of inclusion of an actual animal welfare organisation in the consultation process. The Cat Protection Society is a rescue/shelter predominantly guided by animal rights ideology, biased against cat breeders and therefore should not be providing the ‘sole’ consultation for cats. Animal Care Australia also notes the absence of any dog or cat keeping associations. This is vital given the consideration of greater cat confinement policies.

As a national animal welfare organisation, Animal Care Australia would like to be included in the future as a primary stakeholder for Council on ALL animal welfare and pet related consultations.

Mandatory desexing for Breeders (page 14)

“Breeders interested in obtaining exemptions typically need to apply for a permit from the relevant authorities. The application process involves demonstrating a commitment to responsible breeding practices, animal welfare, and compliance with relevant regulations.”

The above statement requires greater clarification for your residents, for example, what permits are you referring to, given there are different requirements for breeders that have or intend to have varying numbers of animals. Who are the relevant authorities? If referring to Animal Welfare Victoria (to apply to be registered as a Domestic Animal Breeder, etc) then Council should name them.

Cat Management (page 15)

Animal Care Australia supports a 24/7 cat containment law, rather than the proposed list of options.

Animal Care Australia supports cat containment that requires cats to remain on their owner’s property at all times as curfews have limited impact on the issues relating to roaming cats unless it is a 24/7 containment.

However, there are some items that need serious consideration and any changes to local animal management laws should provide an avenue for greater consultation and feedback.

- Animal Care Australia commends Council for phasing in its cat containment legislation. Cats that have been allowed to roam need time to adjust to be confined and it may have detrimental welfare impacts if the cat is not allowed time to become accustomed to the changes. Therefore, by only applying your legislation to new cats born or registered this does allow for the cat to acclimate to this policy.
- Animal Care Australia does have some concern with this policy incentivising some residents to not register their cats in order to ‘avoid’ this legislation.
- Costs of installing cat runs or other methods are expensive, and this should be taken into consideration in the current cost of living crisis.
- Council should provide assistance for cat owners wishing to construct or instal appropriate containment enclosures. Councils should recognise the need to consult with all residents in their catchment area and to provide assistance with approval processes for the construction of enclosures etc.
- Animal Care Australia commends Council for allowing cats to be walked on leash etc.

Banyule’s Dog Parks (page 16)

Animal Care Australia notes only 4 dog parks are listed. This seems underwhelming and insufficient to service approximately 13,329 registered dogs.

Sections relating to dog management and off-leash areas

The reduction in the distance for off leash animals is a concern for Animal Care Australia, given that it is a requirement for the dog to be under control, then dogs should be permitted to run.

The proposed restrictions to stop residents using sporting grounds seem hypocritical when the same reasons for this proposal apply to other areas within the municipality, for example, people not picking up after their dogs. There are also additional local laws in place for the control and fining of individuals who do not meet those laws. Can Council explain what the difference is between those circumstances and sporting fields?

Animal Care Australia is aware these ovals are currently utilised as locations where responsible pet owners meet of an evening. This appears to Animal Care Australia as a non-dog friendly Council trying to push people to the limited number of dog parks. We are acutely aware are the current locations where irresponsible dog owners go that just let their unsocialised/untrained dogs off lead and are causing fights. Rather than restricting access, Council should be looking at better compliance and enforcement of its existing Local Laws. Financial savings for Council to not cover overtime of authorised officers should not come at the expense of the freedom of all pet owners.

Animal Care Australia fully supports the points highlighted in the attached flyer (see Appendix 1) currently being circulated by a local vet via social media.

Animal Care Australia fully supports and strongly encourages Council to adhere to the following statement on P24 of the Discussion Paper:

“Any changes made to the Public Order, should also include sufficient support to the community that comprises of:

- *A transition period that enables pet owners to become accustomed to any changes; and*
- *The provision of educative material that promotes any changes made.”*

Animal Care Australia would welcome the opportunity to consult with Council as an animal organisation (in this case a national animal welfare organisation) on all aspects of your Animal Management and in particular educational material promoting and encouraging responsible pet ownership.

Kind regards,



Michael Donnelly
President
0400 323 843

About Animal Care Australia

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

Animal Care Australia 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.

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:

- advocating for stronger welfare outcomes
- advocating 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

Appendix 1:

POINTS TO CONSIDER WHEN RESPONDING TO THE SURVEY:

Council should be improving their approach to the management of dogs in public places, not restricting responsible owners. This could include:

- Providing dog bags in parks (like the ones provided at many Victorian beaches).
- Promoting training and providing owners with information about why, where and how to access training when they register their dogs, and how to manage their dogs in public places.

Changing the current recall distance of 75m to 25m:

- Limits effective ball/stick throwing and the distance the dog gets to run and be properly exercised.

Banning of dogs from all public sports fields:

- Dogs have been exercised on sports fields for decades with minimal problems.
- The majority of dog owners are responsible & remove excrement.
- Fields are more likely to be damaged by football boots etc. than by dogs.

- Banning dogs will significantly reduce the areas in which people can run their dogs.
- Four off-lead parks won't be within walking distance for most people and will lead to overcrowding.

Level of agreement with supporting a requirement that dogs must be on a lead at all times when on a public sports field:

- Some questions attempt to elicit a biased response. Most people would agree that dogs should be on a lead if people are playing an organised match on the sports field, but their responses could be entirely different if the sports field was vacant, i.e. in that instance many would respond that the dog could be off-lead.

Dogs at public events and meetings, including sports events and training sessions, be kept on-lead or allowed off-lead?

- Dogs should obviously be kept under control and not be allowed to "invade" the ground while people are playing on it.

Dogs on streets and shared pathways/trails be kept on-lead or allowed off-lead?

- Most would agree that a dog should be on a lead on a street, and under the control of the owner.

What would you like Council to consider about the management of dogs in public places?

- Having only 4 overcrowded off-lead parks for dogs in a green suburb like this is ludicrous and will be CRUEL to the dogs. Dogs require more exercise than humans for their health, and need to run at least 10 times the distance. Dogs not properly exercised will become anxious, aggressive and bored, and bark and become destructive.
- Local ovals are often used by the dog walking community to meet. These are essential spaces for our community relationships, and sporting fields are unique in offering this quality of fostering and maintaining community which extends beyond park spaces.
- The off-lead parks are not accessible to most of the population on foot, forcing people to drive to the parks causing more parking and pollution issues. Others are not even able to drive.
- Council should be ENCOURAGING people to be responsible owners through the provision of bags, providing information regarding behaviour, and promoting training.
- 'Management' does not necessarily mean that the dog has to be on a lead. It can mean that the dog is under the control of the owner.