

5th April 2025
Maribyrnong City Council
Regulatory Services Team
Email: LocalLaw.Review2025@maribyrnong.vic.gov.au

Local Law Review 2025

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 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.

In reviewing Council's Local Laws Animal Care Australia would like to raise the following concerns:

- **The numbers listed for species within Part 15 – Animals & Birds are contradictory to the animal welfare needs of the species.** These will lead to animal welfare issues which leads us to believe they have simply been 'made up' – likely based on personal bias rather than facts.
- **While we acknowledge the numbers for dogs and cats in the 2015 Local Law does align with State legislation, we STRONGLY question Council's ethics in proposing to reduce these numbers further** – especially given by your own admission more people will be living in multi-residential and high-density buildings.

Animal Care Australia also questions the ability to enforce these proposed reductions on dogs and cats 'that are not registered.'

- a) If the animals are not registered then you are not reducing your workload, you will be increasing it. Councils' ability to locate these animals will come from complaints made to Council – requiring greater investigation.
- b) If these numbers only apply to 'non-registered' animals, this completely nullifies your supposed reasoning of a population boom. If all the dogs and cats within the building ARE registered and being cared for, then what does that say about the ability of your residents to maintain the higher number in relation to Council's 'justification.'
- c) Therefore, there is no justifiable reason that is based on a population boom while there is not and has not been an identified issue with animal welfare, especially given here is no change to land sizes for these properties – simply a decision based 'supposedly' on the comfort of humans. It is Animal Care Australia's STRONG position that unless there is an animal welfare concern or neighbourhood amenity issue (such as noise) there is no justification for these changes. Those issues should then be dealt with under existing legislation and applied to the individual case.
- d) Council simply appears to be trying to make its job easier rather than putting the effort in and do its job properly and appropriately.

Council SHOULD NOT be restricting and punishing the many for the errors of the few!

Species Specific comments:

Restrictions on the number of animals on a property is not supported by Animal Care Australia without full consideration of the animal welfare impacts on the individual species, particularly where key stakeholders have not been consulted – as apparent by the proposed restrictions in this Policy.

Animal Care Australia questions the validity of the proposed number restrictions and the method of ascertaining specific numbers for each species. There appears to be no logic to the methodology in this circumstance and this applies throughout a number of species.

Birds – Aviary, and others

For birds other than poultry, the numbers proposed are NOT SUPPORTED.

There are hundreds of avian species routinely kept in Victoria and every species has its own specialised management, husbandry, enclosure size and welfare requirements. Placing a limit of twenty-five birds is simply ill-founded. Finches are far smaller and much quieter than pigeons, as an example. Therefore, we recommend the removal of the restriction of twenty-five and insert: 'To be kept as appropriate to species, size of cage/aviary or bird room' into the Section 44 Table.

The sole focus on bird numbers within Section 44 shows a clear lack of knowledge regarding bird keeping and its enormous breadth and management techniques.

It should be noted that the keepers of some poultry may be members of Agricultural Societies, and the keepers of avian birds could be members of Avicultural Societies. Council could include "Members of avicultural clubs are exempt from the above limits provided their birds are kept such that they do not unreasonably affect the amenity of neighbours."

Small Mammals:

Rabbits, ferrets, guinea pigs, rats and mice are considered as house pets and have been for some time now.

Now that housing cost forces people into smaller unit dwellings, indoor pets such as rabbits, ferrets, rats, mice, and guinea pigs are becoming the norm.

Owners of these smaller pet's work to improve the quality of the animal in health and temperament and animal related clubs and societies 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.

There are many Societies for rabbits, guinea pigs, rats, and mice.

Ferrets

Ferrets have become much loved companion pets and while they do require some care, maintenance and ensuring that they are kept very entertained and occupied when awake, they in fact do not require a lot of space which makes them perfect as 'indoor' pets.

Ferrets are far more secure indoors and escapes into the environment are far less likely to occur with an indoor kept pet than an animal out in a cage.

Ferrets are also social animals and should be kept at a minimum as pairs or in groups, therefore Council's restriction of only two ferrets impractical, uneducated, ill-advised, and most definitely NOT SUPPORTED.

Rats, Mice and Guinea Pigs

The limit of just eight (8) animals is NOT SUPPORTED by Animal Care Australia.

These animals are colony animals, and it is important for their health and well-being to be kept in larger numbers than what Council's policy imposes As companion animals allowing more appropriate colony sizes poses no threat to community, health, or animal welfare. ¹.

¹ [Short Communication: Rats Demand for Group Size - Journal of Applied Animal Welfare Science 7 \(4\) 267-272 – 2004\)](#)

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 considered the biology and needs of these 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.

Rabbits

Many people that keep rabbits in any residential situation keep them as pets and the majority of pet rabbits are kept as indoor pets for their health and safety. Vaccines do not provide protection against all of the government released rabbit haemorrhagic viruses that are designed to eradicate feral rabbits.

Responsible pet owners will have their rabbits desexed should THEY NOT wish to breed. Council imposing restrictions is an extreme overreach of power and highlights how out of touch with animal keeping this draft policy is.

Small mammals are extremely popular, particularly in circumstances of higher residential density areas, make no noise, and despite common misconception produce little to no odour. Small mammals are colony animals and a limit of just ten animals is simply poor animal welfare. This is especially applicable if different species are kept as, it further limits the ability of the pet owner to keep suitable colonies of each species if limited to a total number of eight or just two!

Reptiles

Animal Care Australia questions the inclusion of reptiles within your Local Laws. The keeping of reptiles is maintained under licensing that falls with the Department of Energy, Environment and Climate Action AND the monitoring of those is carried out by that department. While the department has recommendations on numbers for residential areas, it does not have restrictions. Therefore, under what jurisdiction is Council restricting reptile keeping? This is overreach!

Animal Care Australia recommends the table in Section 44 is replaced with a reference to Animal Welfare Victoria's Codes of Practice relevant to each species, such as AWW's Code of Practice for the Housing of Caged Birds.

If Council wishes to persist with numbers, then it should be made clear that council officers will look to providing an exemption (no permit required) under Section 65 for those keeping their pets in a manner that does not unduly affect neighbourhood amenity.

Animal Care Australia reminds Council in 2021 you carried out a survey after which the results led to a statement released by the then Mayor:

“Message from the Mayor, Cr Anthony Tran

We know pets are important members of many families in Maribyrnong, with 6350 dogs and 3262 cats currently registered in our municipality.

Both owners and Council have responsibilities in ensuring these animals are well cared for and do not cause a nuisance for neighbours or other residents.

The Domestic Animal Management Plan is the document that ensures Council is doing its bit, and it was great to see so many residents taking the time to also help shape the direction of pet ownership here in Maribyrnong.”

And now it appears in 2025 it is no longer about pet ownership - just about “fitting people’s comfort”

In closing:

The animal restrictions **do not** improve animal welfare. Instead, Council is imposing restrictions that do not address specific problems.

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

Animal Care Australia does not agree with imposing blanket limits on numbers of animals that can be kept especially when based solely on ideological theories as these theories are animal rights based or on species bias. It is glaringly obvious the stronger restrictions apply to species that most people either dislike or fear – rats, mice, rabbits, and reptiles.

Animal welfare is NOT about numbers – it is about the conditions, behaviour, 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 practices. Council should seek consultation with real animal experts to provide a policy that not only works for the council and its community but also ensures good welfare outcomes for the animals.

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

Animal Care Australia has references to support our submission and will be happy to supply them on request. We recommend viewing our online document: [Council Animal Management Plans](#)

It is necessary to call your attention to these restrictions in the hope that while Council is approving amendments to Local Laws that you consider our feedback and provide the opportunity for residents to keep their pets, in particular, small mammals without the need for permits.

Animal Care Australia would like to request a meeting to discuss further collaboration to ensure a policy that aligns with the needs of your pet keeping residents.

Should you require further details please do not hesitate to reach out as we would be happy to meet with you and further discuss this matter.

Kind regards,

A handwritten signature in black ink that reads "M Donnelly". The signature is written in a cursive, flowing style.

Michael Donnelly
President
0400 323 843
president@animalcareaustralia.org.au

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