

10<sup>th</sup> March 2026

Mayor, Cr Stephen Jolly

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Sue Wilkinson, Chief Executive Officer, Yarra City Council and Councillors

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### **Re: Draft Local Law**

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 notes that correspondence has been consistently provided to Yarra City Council, including a direct contact this week ([9<sup>th</sup> March 2025](#)) from the Animal Care Australia Bird Representative calling out the extraordinary decision by Council to reduce the number of birds able to be kept without a permit from 15 down to 5.

Additionally, Animal Care Australia has provided correspondence on the following occasions:

- [19<sup>th</sup> June 2025 – responding to the Domestic Animal Management Plan Review](#). Within this correspondence we draw Council’s attention to the impractical animal number restrictions in the Local Law.
- [13<sup>th</sup> April 2025 – directly responding to the Local Law Review](#) – Again, within this correspondence we draw Council’s attention to the impractical animal number restrictions in the Local Law and provide detailed explanations and animal welfare guidance.
- [5<sup>th</sup> August 2023 - Council Order Review of the Domestic Animal Management Plan \(DAMP\) 2021](#) – highlighting non-support of animal number restrictions

The fact that all of the earlier three submissions were also forwarded to the Mayor and Councillors (as listed on Council’s website at each point in time), it is a clear statement that Council has chosen to ignore our correspondence. Not directly responding to our concerns on any of those submissions and even disappointingly further reducing the numbers of animals permitted to be kept without a permit. In doing so, further exacerbating the risk of poorer animal welfare outcomes.

To be clear – **AGAIN - Animal Care Australia DOES NOT SUPPORT** the numbers listed in the proposed Table within Section 5.2 of the new [DRAFT - Community Local Law 2026](#).

Animal Care Australia also DOES NOT SUPPORT the single use of surveys as a means of claiming 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 irresponsible statistical analysis. This is acutely highlighted by Council’s own admission that the Stage 1 Community Engagement was limited to responses from 469 participants – from a total population of 91k+ - of which 44.2% of respondents indicated that they were “not at all familiar” with current Local Laws.

It is vital that Councils support the keeping of all pets within their local government areas and that Councils consult with the appropriate stakeholders when looking to address the uneducated members of the public who utilise the amenity provisions as an excuse in relation to the keeping of

some animals in order to achieve the many myths or phobias they have against animals, particularly rats, mice and reptiles.

Again, this is highlighted by the fact that a review of the entire 10-page document shows NO references to pet species number restrictions (without a permit), therefore alluding to a lack of substantial validity or reasoning as to WHY Council made the decision to further decrease animal number caps across ALL residence types.

Of course, the most obvious is NOT about community amenity but rather income raising. This is especially significant for those residents who may currently be conforming to Local Law numbers, but once the new laws come into effect, they will now be required to pay for an excess animal permit or reduce their animal numbers some other way in order to comply. As already highlighted bird owners will be unfairly disadvantaged under this new change as will reptile keepers.

The other outcome will be more residents who choose to ignore the Local Laws and the levels of non-compliance will increase.

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 style with a long, sweeping underline.

Michael Donnelly

President

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## **Extract from correspondence dated: 13<sup>th</sup> April 2025**

### **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 just fifteen domestic 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 fifteen and insert: 'To be kept as appropriate to species, size of cage/aviary or bird room' into the Table.

The bird numbers within this entire Part 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 four (4) animals on land or just two (2) in a Unit/flat 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. <sup>1</sup>.

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<sup>1</sup> [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!

**Animal Care Australia recommends the Tables in Part 18 are 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.

### **In response to the addition of Reptile number restrictions of just 5 without a permit:**

#### **Reptiles:**

The permit to keep reptiles issued by The Department of Energy, Environment and Climate Action, already dictates how reptiles should be kept.

Reptiles are extremely popular, particularly in circumstances of higher residential density areas, they make no noise, and despite common misconception produce little to no odour. Reptiles come in a range of sizes and husbandry needs. There are a broad range of alternative and legitimate management and housing systems and numerous other factors that should be considered when keeping reptiles/amphibians.

For reptiles, where hundreds of different species are being regulated under State Regulation via the Wildlife Act 1975<sup>2</sup> and associated Regulations, which governs the keeping of reptiles by setting licensing requirements and regulating which species can be kept.

The vast majority of reptiles are housed in small enclosures, with many enclosures capable of existing in a child's bedroom or other small space (substantially less than the stated 3999m<sup>2</sup>). Number restrictions are simply not applicable and are inappropriate for ensuring sound animal welfare standards. The table should simply stipulate the reptiles must be kept in accordance with the Victorian Code of Practice for the Welfare of Animals — Private Keeping of Reptiles.<sup>3</sup>

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<sup>2</sup> [Wildlife Act 1975](#)

<sup>3</sup> [Code of Practice for the Welfare of Animals — Private Keeping of Reptiles](#)

## **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, companion animals, animals used for educational or entertainment purposes or kept for conservation.

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