

22/9/2020

To whom it may concern

RE: Golden Plains Shire Council Draft Local Law 2 – Part 3 - Animals

The Canary and Cage Bird Federation of Australia Inc. (CCBFA) is a national federation of approximately 250 avicultural (bird keeping) clubs, including most clubs operating within Victoria. Our member clubs include those supporting hobbyist pigeon, poultry, finch, budgerigar, parrot, waterfowl, softbills, etc. – a large and broad range of bird species.

Our recommendations below relate specifically to Part 3 – Animals of Golden Plains Shire Council Draft Local Law 2 located at the following URL.

<https://www.goldenplains.vic.gov.au/sites/default/files/Draft%20Local%20Law%202%20-%20General%20Public%20Amenity%20-%202021.pdf>

We acknowledge that much of the draft relating to animals is present in Golden Plains Shire Council's current Local Law 2. However, the inclusion in the draft of "Domestic Birds" and the reduction of numbers for other categories is concerning, is not evidence based and is opposed.

In general terms, we always encourage all councils to promote and encourage the keeping of animals, in our case birds.

Policies that restrict keeping of animals in an attempt to pre-empt and hence prevent noise, odour or other issues for neighbours are discouraged - Objective 2 (e) (vii) within this draft is a prime example. Such 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.

Recommendation 1

(a) Delete Objective 2 (e) (vii).

(b) Add the following as an additional objective OR include as an introduction to Part 3.

"Golden Plains Shire Council acknowledges the importance animals play to the wellbeing of our residents. Council's default position is to encourage and promote the keeping of animals within the shire."

Should deleting Objective 2 (e) (vii) be unacceptable then we suggest deleting the words "animal numbers and" so the objective reads "Animals, including the keeping and control of animals;".

CCBFA is currently working alongside Animal Welfare Victoria as new animal welfare legislation is designed, including revising codes of practice for the keeping of birds. Although not a perfect document, we encourage council to refer residents to the current [Code of Practice for the Housing of Caged Birds](#) rather than attempt to reinvent the wheel.

Recommendation 2

Exclude birds from all areas of the draft code via an exemption worded as follows.

"Part 3 does not apply to avian species kept in accordance with Animal Welfare Victoria Code of Practice for the Housing of Caged Birds."

If recommendation 2 above is not implemented CCBFA requires details of the avian training and expertise of council's "Delegated or Authorised Officer" to make appropriate assessment regarding Animal Nuisance under 26(f) and Animal Enclosures and Agistment under 27(a).

CCBFA is opposed to applying strict numbers that can be kept, particularly when based solely on land size such as is specified in table 1 of the draft.

In general, we strongly caution against specifying bird numbers for any property with an area exceeding 1000 square metres (0.1 ha).

There are hundreds of avian species routinely kept in Victoria and every species has its own specialised management, husbandry, enclosure size and welfare requirements. Some species are best kept as bonded pairs, some in large colonies, size an unreliable indicator of noise, recommended enclosure size varies considerably, diet should be considered, etc, etc. The variables are numerous such that setting numbers is unwise.

Similarly, 25(5) cannot apply to birds as there is enormous variability in the period required for progeny to mature to an age appropriate for catching or movement.

Recommendation 3.

- (a) Exclude birds from 25(5) or append the words "or as appropriate to ensure the progeny are sufficiently mature."
- (b) In Table 1, delete rows for "Poultry (excluding Roosters)", "Large and/or Noisy Birds", "Pigeons" and "Domestic Birds (caged, excluding Large and/or Noisy Birds)".

Should Golden Plains Shire Council wish to persist with the table 1 rows applying to avian species referred to in 3(b) above CCBFA offers our expertise to recommend more suitable categories, land areas and numbers.

For your information, this submission will be publicly available via our website www.ccbfa.org.au.

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

Kind regards,



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