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Department of
Agriculture and Fisheries

Our ref: CTS 03534/21

Ms Emma Thomas
Chief Executive Officer
Sunshine Coast Regional Council
Locked Bag 72
SUNSHINE COAST MAIL CENTRE QLD 4560
mail@sunshinecoast.qld.gov.au

Dear Ms Thomas

Thank you for your letter of 22 February 2021 regarding a development application made by Diamond Valley Kennels for a dog breeding and boarding kennel facility at Landsborough.

The Palaszczuk Government is committed to providing legislation and standards that protect the welfare of all animals in Queensland, including dogs used for breeding, and meet the expectations of the community.

The *Animal Care and Protection Act 2001* (ACPA) affords high levels of care and protection to all animals in Queensland, promotes the responsible care and use of animals, provides standards for the care and use of animals and protects animals from unjustifiable, unnecessary or unreasonable pain. Acts of animal cruelty are not tolerated. Under the Act there are significant penalties compared to similar laws in other Australian States and Territories.

I am aware of the significant community concern that the proposed development has generated within the community. The Department of Agriculture and Fisheries (the Department) has received correspondence on this matter from concerned members, including petitions to the Legislative Assembly calling for a change to the current legislation to limit the number of breeding bitches that a breeder, or breeding facility, can hold.

The Department's position is that the current provisions of the Act and the *Animal Management (Cats and Dogs) Act 2008* (AMCDA) are adequate and appropriate to ensure responsible dog breeding in Queensland and that there is no justification to amend current laws or to introduce additional state-wide laws. As you make mention, the Palaszczuk Government has already introduced a number of initiatives specifically aimed to promote responsible dog breeding and stop dog breeders who place profit before the welfare of the dogs.

All breeders, irrespective of the size of their enterprise, must meet the mandatory welfare standards, comply with breeder registration obligations and observe council requirements. The requirement to cite a supply number for all advertising and supply of dogs, facilitates tracing back to the breeder in the event of a health or welfare incident. This measure is not intended to be used as a tool to restrict breeder behaviour or opportunity but to facilitate investigative and regulatory action if the breeder fails to meet animal welfare requirements. The Department is not aware of any evidence that larger dog breeding enterprises inherently deliver poorer welfare outcomes.

The proposal for a large breeding kennel on the Sunshine Coast does not fundamentally contravene animal welfare or breeder registration requirements. Current legislation will allow appropriate action to be taken should the proposal be implemented and fail to meet animal welfare requirements. As the local council responsible, the Sunshine Coast Regional Council may make local laws for domestic and commercial keeping of dogs within their local areas. It is not appropriate for the Department to comment on local laws for domestic and commercial keeping of dogs.

The Honourable Mark Furner MP, Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities announced on 8 December 2020 a full review of the ACPA. While all aspects of the ACPA will be considered under the review, dog breeding and the AMCDA will not form part of the review.

On the matter of the potential for animal welfare to be identified as a matter of state significance in the context of development assessment under the *Planning Act 2016*, this would be a matter for the Minister responsible for state development, the Honourable Steven Miles MP, Deputy Premier and Minister for State Development, Infrastructure and Local Government and Planning.

I can advise that awareness and education of the community on animal welfare matters is an important and ongoing focus for the Department.

If you require any further information, please contact Mr Ian Rodger, Manager Policy on 0418 798 935 or by email at ian.rodger@daf.qld.gov.au.

Yours sincerely



Malcolm Letts
Deputy Director-General and Chief Biosecurity Officer
Biosecurity Queensland