



# Animal Defenders Office

Using the law to protect animals

ABN: 12837355070 | Member: CLCNSW Inc. | GPO Box 2259 Canberra ACT 2601 | [www.ado.org.au](http://www.ado.org.au) | [contact@ado.org.au](mailto:contact@ado.org.au)  
The Animal Defenders Office is accredited by Community Legal Centres Australia Inc.

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The Territory Planning Authority  
GPO Box 158  
Canberra ACT 2601

By email: [terrplan@act.gov.au](mailto:terrplan@act.gov.au)

1 December 2025

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## Consultation Period – Draft Plan Amendment 08 – Thoroughbred Park Precinct

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Dear Sir/Madam

Thank you for the opportunity to contribute to the consultation on the 'Draft Plan Amendment 08 – Thoroughbred Park Precinct' (**the Amendment**).

The submissions of the Animal Defenders Office (**ADO**) are set out below.

### 1 Overview of the ADO

The ADO is a nationally accredited not-for-profit community legal centre specialising in animal law, with a focus on providing free animal law services to the community.<sup>1</sup> The ADO was established in 2013 and has been run by volunteers since that time. The ADO is based in the ACT and is a member of Community Legal Centres Australia Inc., the peak body representing community legal centres in Australia.

### 2 The ADO's submissions

The ADO provides the following submissions on the Amendment.

#### *2.1 Conditional support for the proposal – excluding Thoroughbred Park*

The ADO supports the redevelopment of the Thoroughbred Park Precinct (**the Precinct**) only on the condition that the Thoroughbred Park racecourse (**the racecourse**) is removed from the Precinct.

The ADO's position is based on the inherent animal welfare concerns in the horse racing industry and the unsustainable nature of the industry that survives only due to substantial government handouts.

##### *2.1.1 Horse racing is inherently harmful*

The serious animal welfare concerns inherent in the horse racing industry include oversupply and wastage, use of painful devices, and substantial risk of injury and premature death.<sup>2</sup>

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<sup>1</sup> Further information about the Animal Defenders Office can be found at: [www.ado.org.au](http://www.ado.org.au).

<sup>2</sup> RSPCA Australia, 'There are serious animal welfare issues with horse racing, spanning the entire lifecycle of the horses involved', <https://www.rspca.org.au/key-issues/horse-racing/>.

Thoroughbred Park has been consistently rated as the most lethal track in Australia.<sup>3</sup>

The welfare concerns inherent in the industry are discussed in more detail below.<sup>4</sup>

### *2.1.2 ACT horse racing industry is unsustainable*

Horse racing at Thoroughbred Park is subsidised by the ACT Government with approximately \$40 million of public money given to the industry over five years via the Memorandum of Understanding between the Territory and the Canberra Racing Clubs.<sup>5</sup> The ADO submits that this use of public funds on an inherently harmful and unsustainable industry is unethical and must stop.

### *2.2 More socially appropriate uses for the land*

The land on which the racecourse is situated could be put to better use that is more in keeping with Canberra's progressive and socially minded community. At 64 hectares, this inner north site that is close to public transport could be more appropriately and ethically used for purposes such as educational facilities, sports and recreational facilities, affordable community housing, community facilities, and green spaces.

Rezoning the precinct is the perfect opportunity to shut down the racecourse and phase out an industry that harms thousands of horses merely for entertainment and gambling purposes.

## **3 Background**

### *3.1 Inherent animal welfare concerns in the horse racing industry*

Concerns about animal welfare standards in the horse racing industry are well documented.<sup>6</sup> Some of the main concerns include the following.

#### **3.1.1 Deaths on the track**<sup>7</sup>

In 2024-25, 175 racing related racehorse deaths were reported on tracks around Australia, meaning that a horse was killed, on average, every two days on Australian racetracks. NSW/ACT reported the highest number of race deaths at 50, approximately one death every week. These figures do not include horses who are euthanised away from the track, or who are sent to knackeries as 'wastage'. The number of reported racehorse deaths in 2024-25 is higher than any other reported death rates over the previous decade. This contradicts the horse racing industry's claims that animal welfare standards are improving.

#### **3.1.2 Exercise-Induced Pulmonary Haemorrhage (EIPH)**

EIPH is a highly prevalent disease in racehorses, which is caused by exposure to overly strenuous exercise, and results in bleeding in the lungs.<sup>8</sup> Racing Victoria has acknowledged that this condition appears, in varying degrees, in around 75% of

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<sup>3</sup> <https://horseracingkills.com/issues/deathwatch/>.

<sup>4</sup> See section 3 'Background'.

<sup>5</sup> ACT Memorandum of Understanding between the Australian Capital Territory and the Canberra Racing Club and Canberra Harness Racing Club 2022-2027, clause 5.1, <https://www.act.gov.au/open/racing-memorandum-of-understanding> (updated 3 July 2025).

<sup>6</sup> RSPCA Australia, 'What are the animal welfare issues with Thoroughbred horse racing?', updated 30 June 2025, <https://kb.rspca.org.au/knowledge-base/what-are-the-animal-welfare-issues-with-thoroughbred-horse-racing/>.

<sup>7</sup> Coalition for the Protection of Racehorses, *Deathwatch Reports*, <https://horseracingkills.com/issues/deathwatch/> (**Deathwatch Reports**). See *Deathwatch Report 2025* [https://horseracingkills.com/wp-content/uploads/2025/10/DeathWatch\\_2025\\_28\\_Oct\\_2025.pdf](https://horseracingkills.com/wp-content/uploads/2025/10/DeathWatch_2025_28_Oct_2025.pdf).

<sup>8</sup> Dr Cate Steel, 'An update on "Bleeders" and EIPH', <https://dxc-cdn.racing.com/api/public/content/eiph-627510.pdf?v=6e85cbf4>.

racehorses. While the industry may suggest it is responsible for less than 2% of deaths in the industry, this statistic overlooks deaths associated with EIPH which go undiagnosed and unreported.<sup>9</sup> Regardless of these numbers, EIPH presents as a significant animal welfare concern in the horse racing industry.

### 3.1.3 Whipping

The ADO submits that the practice of whipping thoroughbred racehorses inflicts harm on the horses and is unnecessary. The Australian Rules of Racing, adopted in the ACT,<sup>10</sup> still allow an unlimited use of the whip in the final 100 metres of a race,<sup>11</sup> when horses are most fatigued and have the least capacity to respond. RSPCA Australia suggests not only that there is no evidence to show that whipping influences the performance of a horse, but also that the practice results in pain, localised trauma and tissue damage.<sup>12</sup> This is supported in a study by Professor Paul McGreevy from the Faculty of Veterinary Science at Sydney University, who notes that, '[i]f flogging a dead horse is futile, flogging a tired horse is worse still since such animals feel the pain while unable to respond.'<sup>13</sup> The Australian Veterinary Association's policy on the use of whips on horses at competitive events recommends that 'Whip use must not be used to influence the result of a competitive event.'<sup>14</sup> The ADO notes that Norway has a viable and profitable horse racing industry and yet the use of whips has been progressively phased out.<sup>15</sup>

### 3.1.4 Wastage, knackereries and abattoirs

'Wastage' is a term used to refer to horses rejected by the industry.<sup>16</sup> It includes both the breeding of thoroughbreds who never make it to the racetrack, and racehorses who are retired from racing. When a thoroughbred is born in Australia, his or her chance of success on the track is minimal. It is estimated that of the roughly 13,000 foals produced in Australia each year in the horse racing industry, only 4,000 will ever run in a race.<sup>17</sup> This leaves 9,000 foals effectively useless to the industry. Of the horses who are raced, approximately 40% earn no money at all, and only 13% earn enough to cover their costs.<sup>18</sup> The large-scale practice of slaughtering ex-racehorses was exposed in the ABC TV report titled '*The Final Race. The Dark Side of the Horse Racing Industry*'.<sup>19</sup> This investigation uncovered the industry's support for the slaughter of retired racehorses, many of whom were sworn at, kicked, beaten and electrocuted by knacker workers.

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<sup>9</sup> Crispe, E, 'Exercised-induced pulmonary haemorrhage in Thoroughbred racehorses: an investigation of risk factors, the association with race day performance and a longitudinal study' (2018) 51(1) *Equine Veterinary Journal* 45.

<sup>10</sup> <https://thoroughbredpark.com.au/official-racing-documents/>.

<sup>11</sup> *Australian Rules of Racing* AR132 (as at 1 November 2025), [https://www.racingaustralia.horse/FreeServices/Australian\\_Rules\\_Of\\_Racing.aspx](https://www.racingaustralia.horse/FreeServices/Australian_Rules_Of_Racing.aspx).

<sup>12</sup> RSPCA Australia, 'There are serious animal welfare issues with horse racing, spanning the entire lifecycle of the horse' RSPCA (webpage, 2025) <https://www.rspca.org.au/key-issues/horse-racing/>.

<sup>13</sup> Lydia Tong et al, 'A Comparative Nero-Historical Assessment of Gluteal Skin Thickness and Cutaneous Nociceptor Distribution in Horses and Humans' (2020) 10(11) *Animals* 2094.

<sup>14</sup> Ratified 7 Dec 2022, <https://www.ava.com.au/policy-advocacy/policies/horse-health-and-welfare/use-of-whips-on-horses-at-competitive-events/>.

<sup>15</sup> <https://www.thoroughbreddailynews.com/a-whip-free-day-of-racing-in-norway/>.

<sup>16</sup> RSPCA Australia, 'There are serious animal welfare issues with horse racing, spanning the entire lifecycle of the horse' RSPCA (webpage, 2025) <https://www.rspca.org.au/key-issues/horse-racing/>.

<sup>17</sup> Coalition for the Protection of Racehorses, 'Wastage', *Coalition for the Protection of Racehorses* (webpage, 2025) <https://horseracingkills.com/campaigns/wastage/>.

<sup>18</sup> Ibid.

<sup>19</sup> 'The Dark Side of the Horse Racing Industry' *The 7.30 Report* (Australian Broadcasting Corporation, 2019) <https://www.abc.net.au/news/2019-10-17/the-dark-side-of-the-horse-racing-industry/11614022>.

### 3.2 Lack of legislative protection for racehorses

The ADO submits that the ACT's animal welfare laws and the industry's own rules do not protect racehorses from the harmful practices inherent in the industry.

The *Animal Welfare Act 1992* (ACT) (**AW Act**) defines 'cruelty' as including doing, or not doing, something to an animal that causes, or is likely to cause, injury, pain, stress or death to the animal that is unjustifiable, unnecessary or unreasonable in the circumstances.<sup>20</sup> Committing an act of cruelty is a criminal offence.<sup>21</sup> If the act of cruelty results in a serious injury or a situation where it is considered cruel to keep the animal alive, it is aggravated cruelty which is a more serious criminal offence.<sup>22</sup>

According to reports on horses who died on Australian racetracks:

...the most prevalent cause of death was catastrophic front limb injury with sixty-three occurrences. Catastrophic hind limb injury was the second leading cause of death with sixteen occurrences. Other causes of death were cardiac causes, massive bleeds, shoulder injury, pelvis injury, severe laceration, spinal injuries, aneurysm, skull fractures, and severe neurological injuries from head trauma.<sup>23</sup>

Based on this evidence, and the fact that horse racing is merely an entertainment and/or gambling activity, the ADO submits that the injuries to and deaths of horses on racetracks are unjustifiable, unnecessary or unreasonable in the circumstances, and thereby constitute an animal cruelty offence under the AW Act.

The ADO notes that the AW Act does not contain an explicit exemption or defence to cruelty offences for the treatment of thoroughbred horses used for racing.

Despite these racehorse injuries and deaths appearing to breach animal welfare laws, the ADO is unaware of any instances of those responsible for the horses who die on the ACT's racetrack being investigated or prosecuted for animal cruelty.

### 3.3 Community concerns regarding animal welfare in the horse racing industry

The horse racing industry is experiencing a growing backlash from Australians, who are voicing their discontent with an industry that profits from exploiting and harming animals and that fuels gambling addictions. This growing discontent has resulted in resistance to events such as the Melbourne Cup,<sup>24</sup> including by long-standing corporate sponsors such as Myer and David Jones.<sup>25</sup> It appears that aligning brands with an industry that has a poor animal welfare record is no longer good for business.

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<sup>20</sup> AW Act s 6A.

<sup>21</sup> AW Act s 7.

<sup>22</sup> AW Act s 7A.

<sup>23</sup> Deathwatch Report 2023 p 7; Deathwatch Report 2025 p 8 ('hind limb injury' is the second leading *known* cause of death.

<sup>24</sup> Paul Karp, 'Melbourne Cup: most Australians have little or no interest in 'race that stops the nation'', Essential poll finds', *The Guardian Online* (7 November 2023) <https://www.theguardian.com/australia-news/2023/nov/07/melbourne-cup-2023-horse-race-field-broadcast-horses-australia-interest-day>.

<sup>25</sup> Melissa Singer, 'As Myer and the Melbourne Cup part ways, there's still hope for race day fashion', *The Sydney Morning Herald* (30 June 2023) <https://www.smh.com.au/lifestyle/fashion/as-myer-and-the-melbourne-cup-part-ways-there-s-still-hope-for-race-day-fashion-20230626-p5djfx.html>.

### 3.4 *Setting up a rehoming facility for racehorses on the site of the racecourse*

Given the inherent animal welfare concerns in the horse racing industry, and the fact that Thoroughbred Park has benefitted from using horses since 1961<sup>26</sup>, the ADO submits that part of the site of the current racecourse should be used for a rehoming facility in which horses discarded by the industry are accommodated before being rehomed. This would be a fitting reminder of the previous use of the land (the racecourse), but more aligned with contemporary values of the nation's Capital.

## 4 Recommendations

The ADO makes the following recommendations:

1. That the Thoroughbred Park Precinct be rezoned so as to exclude and remove the racecourse.
2. That the Amendment be updated to include:
  - a. Public and community housing.
  - b. Educational facilities.
  - c. Grounds for human sports and recreation.
  - d. A rehoming facility for horses bred and rejected by or retired from the industry (aka 'wastage').
  - e. More green spaces for local residents.

Thank you for taking these submissions into consideration.

Yours sincerely

**Tara Ward**

**Managing Solicitor (volunteer)**

**Animal Defenders Office**

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<sup>26</sup> 'Fact Sheet: Thoroughbred Park and the Canberra Racing Club playing a role in the future of Canberra', <https://thoroughbredpark.com.au/fact-sheet-thoroughbred-park-and-canberra-racing-club-playing-role-future-canberra/>.