



# Application/Renewal for a Permit Keeping of Animals

I wish to apply for a permit to house additional animals, in accordance with Moira Shire Council's Community Safety and Environment Local Law 2013 (No. 1 of 2013), Part 6.

**Applicant's Details** **Previous Permit No if Renewal** \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Number of animals kept at property:

Dogs \_\_\_\_\_ Cats \_\_\_\_\_ Other (Type) \_\_\_\_\_ No. \_\_\_\_\_

Are all dogs/cats currently registered? (please circle) Yes/No      Are all animals desexed? Yes/No

How will the animals be housed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Are you the owner of the property? (please circle) Yes/No      If No list owners details below

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

A copy of the relevant section from the Moira Shire Council's Community Safety and Environment Local Law 2013 (No. 1 of 2013), Part 6 is enclosed. Please read it thoroughly and ensure you comply with all requirements. Keeping of Animal permits are to be renewed annually.

### Please attach the following:

- Written consent must be obtained from all adjoining neighbours. A consent form for your neighbour's to sign is provided with this application form.
- If you are not the registered owner of the property, then written consent must be provided by the current registered owner and submitted with this application.
- Application fee – Please see the fee schedule set out below.

Fee Schedule (Fees are subject to change 1 July each year)			
Title of fee	Amount	Explanation	Total
Application Fee	\$56.20	Only applies for a new application. Does not apply to applications for renewal.	
Permit Fee	\$102.20	Permit Fee. Applies to new applications and renewals.	

**HOW TO PAY** - In person – Payments can be made between the hours of 8.30am and 5.00pm Monday to Friday, at the Cobram and Yarrawonga Service Centres by cash, cheque, Money Order, EFTPOS, VISA or MasterCard. Please note that the Yarrawonga Service Centre is closed between 12noon and 1pm daily.  
**By Mail** – Cheques or money orders, made payable to "Moirá Shire Council".

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Note: This form must be completed in full and submitted with all the requirements prior to the permit being processed/issued. Incomplete applications will be denied.**

**Privacy Statement:** "Personal and/or health information collected by Moira Shire Council is used for municipal purposes as specified in the Local Government Act 1989. The personal and/or health information will be used solely by Council for these purposes and/or directly related purposes. Council may disclose this information to other organisations, if required by legislation. The applicant understands that the personal and/or health information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to Council's Privacy Officer".

## **PART 6 – KEEPING OF ANIMALS, BIRDS, POULTRY**

### **6.1 Animals, birds (including pigeons), and poultry**

- (a) No person may without a permit keep any livestock, birds (including pigeons), or poultry other than a domestic animal, fowl hen or song bird on any property in a residential area.
- (b) No person shall allow to remain on any property any noisy animal, bird (including pigeons), or poultry which in the opinion of an authorised officer cause a nuisance to any person residing in the neighbourhood
- (c) For the purpose of this Part, noises emanating from such animals, birds (including pigeons), or poultry shall not be deemed to cause a nuisance to any person unless objections in writing have been lodged with Council from more than one resident of immediate neighbouring properties
- (d) Pigeons shall not be kept on any property unless in a pigeon loft constructed to Council's requirements.
- (e) Except on land in a rural area, an owner or occupier of land shall not keep:
  - (i) a rooster
  - (ii) a goose or gander
  - (iii) a turkey or
  - (iv) a peacock or peahen

#### **Penalty**

First offence – 10 penalty units

Second or subsequent offence – 20 penalty units

### **6.2 Dogs**

- (a) No person may without a permit keep more than two dogs on any property in a residential area or commercial area, or on any property in a rural area which comprises less than eight hectares.
- (b) No dog shall be housed or confined in an enclosure or tethered at a lesser distance than 5 metres from any dwelling on an adjoining property, and such enclosure shall comprise an area of not less than ten square metres in respect of each dog being confined.

#### **Penalty**

First offence – 10 penalty units

Second or subsequent offence – 20 penalty units

### **6.3 Cats**

- (a) No person may without a permit keep more than two cats on any property in a residential area or commercial area, or on any property in rural area with comprises less than eight hectares.
- (b) No person shall keep or allow to be kept a cat which in the opinion of an authorised officer causes a nuisance or damage to any person, property or the environment.

#### **Penalty**

First offence – 10 penalty units

Second or subsequent offence – 20 penalty units

## 6.4 Poultry

- (a) No person shall keep on any property in a residential area or commercial area a number of fowl hens greater than ten mature birds.
- (b) Poultry shall not be kept on any property other than in a poultry house which is:
  - (i) at least 20m from the property frontage; (ii) at least 3m from any other street or road;
  - (iii) at least 12m from any dwelling whether on the same or adjoining property, and an enclosed run attached to a poultry house must also comply with this requirement.
- (a) A poultry house shall consist of a minimum floor area of five square metres to house ten fowls.
- (d) An owner or occupier of land on which a poultry house is located must ensure that it has:
  - (i) a location on ground which is well drained; and
  - (ii) weatherproof walls of approved materials, provided that wire netting may be used in a portion of one wall; and
  - (iii) a weatherproof roof of approved materials; and
  - (v) a wall height of not more than 2.1 metres.
- (e) The provisions of this Part referring to poultry shall not apply to any commercial poultry farm.

### Penalty

First offence – 10 penalty units

Second or subsequent offence – 20 penalty units

## 6.5 Vermin control

- (a) The owner or occupier of any property shall keep the area of land within two metres of a poultry house, pigeon loft, bird cage or enclosure free from all dry grass, weeds, waste and other materials capable of harbouring vermin.
- (b) No person shall keep on any property where poultry or birds are kept, any food for their consumption unless such food is kept in vermin-proof receptacles or buildings.

### Penalty

First offence – 10 penalty units

Second or subsequent offence – 20 penalty units

## 6.6 Cleanliness

- (a) The owner or occupier of any property shall cause every poultry house, pigeon loft, bird cage or enclosure, to be thoroughly cleansed as often as may be necessary and shall keep the same in a clean and sanitary condition at all times.
- (b) Droppings and waste from any animal, bird or poultry shall be removed from the property from time to time or as frequently as may be directed by an authorised officer so as not to cause a nuisance or offensive conditions.

### Penalty

First offence – 10 penalty units

Second or subsequent offence – 20 penalty units

## 6.7 Horses

- (a) No person may without a permit keep any horse on any property in a residential area or commercial area.

### Penalty

First offence – 10 penalty units

Second or subsequent offence – 20 penalty units

- (b) A permit to keep a horse on any property in a residential area or commercial area shall not be granted unless the property concerned:
- (i) is of an area of not less than 500 square metres; and
  - (ii) has an adequate water supply; and
  - (iii) is securely fenced on all sides.
- (c) A permit for the keeping of a horse on any property in a residential area or commercial area will be assessed on the following basis:
- (i) the zoning of the land;
  - (ii) the proximity of adjoining properties; (iii) the amenity of the area;
  - (v) the likely effects on adjoining owners;
  - (vi) the adequacy of shedding and fencing; and
  - (vii) any other matters relevant to the circumstances associated with the application.
- (d) Prior to the assessment of an application for a permit under this clause, the applicant must advise all adjoining owners of the application in writing and of the fact that they may make written comments on the application to Council within 14 days of the advice of the application, and provide evidence to Council of such notification.
- (e) In assessing an application for a permit as required by clause 6.7(a), Council must take into consideration the views expressed in writing by adjoining landowners.

## 6.8 Control of disease

The owner or occupier of any property on which there is kept any animal, bird, or poultry which develops any contagious or infectious disease which is or is likely to be injurious to any human being or other animal, shall cause such animal, bird, or poultry as the case may be, to receive appropriate treatment from a qualified Veterinarian or be destroyed and properly disposed of to the satisfaction of an authorised officer.

### Penalty

First offence – 10 penalty units

Second or subsequent offence – 20 penalty units

## 6.9 Animal excrement

- (a) No person in charge of an animal shall allow any part of the animal's excrement to remain on a road or Council land.
- (b) A person in charge of a domestic animal must carry a suitable receptacle for the removal of that animal's excrement from a road or Council land.

### Penalty

First offence – 10 penalty units

Second or subsequent offence – 20 penalty units

## ADJOINING NEIGHBOUR CONSENT FORM

I/We (neighbour's name): \_\_\_\_\_

Of (neighbour's address): \_\_\_\_\_

Have no objection to (applicant's name): \_\_\_\_\_

Permanently housing: Total Number of Dogs \_\_\_\_ Total Number of Cats \_\_\_\_

Other Animal & number of animals \_\_\_\_\_

At their property at: \_\_\_\_\_

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

I/We (neighbour's name): \_\_\_\_\_

Of (neighbour's address): \_\_\_\_\_

Have no objection to (applicant's name): \_\_\_\_\_

Permanently housing: Total Number of Dogs \_\_\_\_ Total Number of Cats \_\_\_\_

Other Animal & number of animals \_\_\_\_\_

At their property at: \_\_\_\_\_

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

I/We (neighbour's name): \_\_\_\_\_

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Have no objection to (applicant's name): \_\_\_\_\_

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Other Animal & number of animals \_\_\_\_\_

At their property at: \_\_\_\_\_

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

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Other Animal & number of animals \_\_\_\_\_

At their property at: \_\_\_\_\_

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

