



# Keeping of Animals / Foster carer Application/Renewal for a Permit

Applicant's Details

Previous Permit No. (if Renewal) \_\_\_\_\_

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

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

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

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

**Please complete Section 1 only.**

I wish to apply for a permit to be a foster carer in accordance with Section 68H of the *Domestic Animals Act 1994*. **Please complete Section's 1 and 2.**

## **SECTION 1**

Number of animals kept at property (excluding fostered animals):

Dogs \_\_\_\_\_ Cats \_\_\_\_\_ Other (Type) \_\_\_\_\_ Total \_\_\_\_\_

Are all owned dogs/cats currently registered? Yes  No

Are all owned animals de-sexed? Yes  No

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

Are you the owner of the property? Yes  No  If No - list owner's details below

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

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

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

A copy of the relevant section from the Moirá 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.

<b>Fee Schedule (Fees are subject to change 1 July each year)</b>			
<b><i>Title of fee</i></b>	<b><i>Amount</i></b>	<b><i>Explanation</i></b>	<b><i>Total</i></b>
Application Fee	\$57.30	Only applies for a new application. Does not apply to applications for renewal.	
Permit Fee	\$104.20	Permit Fee. Applies to new applications and renewals.	

*\*Fees may be waived for applicants that are fostering animals for Moirá Shire Council pound\**

## PAYMENT METHODS

**IN PERSON** at Council Offices in Cobram and Yarrawonga. EFTPOS facilities available.

**PHONE** council during business hours. Monday to Friday 9am to 5pm. Please have your credit card ready and a copy of this form.

**MAIL** cheque or money orders, made payable to 'Moira Shire Council' to PO Box 578 Cobram VIC 3643.

**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.**

**Collection Statement:** Moira Shire Council is collecting information on this form for the administration of your request. The information is required pursuant to the provisions of the Domestic Animals Act 1994 and associated Council Local Law. The information collected will be used for the purpose it was collected and/or a directly related purpose. The information may be disclosed to other organisations if required by legislation. If you do not provide the information required, we will not be able to process your application. You can find out more about how we use and protect your information by viewing our Privacy Statement on our website [www.moira.vic.gov.au](http://www.moira.vic.gov.au)

### **SECTION 2 - TO BE COMPLETED BY FOSTER CARER APPLICANTS ONLY**

**1. Do you foster dogs and/or cats over three months of age?**

Yes  No

**2. Are you aware of your local council's limits on the number of dogs and cats you are permitted to house at any one time?**

Yes  No

*Please enquire with your local council if you are uncertain about the number of animals you can house.*

**3. Do you hold an excess animal permit (if required)?**

Yes  No

*Please enquire with your local council if you are unfamiliar with this requirement.*

**4. Do you understand that, if approved as a registered foster carer, you cannot house more than five foster animals at any given time (even if your local council permits you to house more)?**

Yes  No

*Please note: This requirement also applies to foster carers that are not registered in the foster carer scheme. If you have more than five foster animals, you are required to register as an animal shelter.*

**5. Have you been found guilty of:**

- **An offence against the *Prevention of Cruelty to Animals Act 1986* or regulations made under that Act?**

Yes. If yes, offence: \_\_\_\_\_ Date: \_\_\_\_\_

No

- **An offence against the *Domestic Animals Act 1994* or the *Domestic Animals Regulations 2015*?**

Yes. If yes, offence: \_\_\_\_\_ Date: \_\_\_\_\_

No

- **An offence against a law of another State or a Territory of the Commonwealth that corresponds with a law referred to in any legislation mentioned above?**

Yes. If yes, offence: \_\_\_\_\_ Date: \_\_\_\_\_

No

**6. Is the premises where you house your foster animals registered as a domestic animal business?**

Yes  No (go to question 8)

**7. What type of domestic animal business is the premises registered as?**

- Boarding  Shelter  
 Breeding  Training  
 Pet shop

**8. Are you the proprietor of a domestic animal business at a location other than the premises where you house your foster animals?**

- Yes  No

*Please note: If you answered yes to any of questions 5 – 8, you may be ineligible to register as a foster carer.*

**9. Are you affiliated with a shelter or pound?**

- Yes  No

If yes, please complete the following information about the shelter or pound.

**Name:**

**Email:**

**Phone number:**

**Address:**

**10. Do you have a Section 84Y agreement with any Victorian council to rehouse cats and dogs?**

- Yes  No (go to question 12)

**11. Which council/s do you have a Section 84Y agreement with?**

---

*Please note: Under the Domestic Animals Act 1994, Section 84Y enables council to enter into written agreements with individuals or bodies to sell or dispose of dogs and cats seized or surrendered to council. Enquire with your local council if you wish to learn more about this agreement.*

**12. Are you affiliated with a Community Foster Care Network (CFCN)?**

- Yes  No

If yes, please complete the following information about the shelter or pound.

**Name:**

**Email:**

**Phone number:**

**Address:**

**13. Number of animals that you intend to foster care (maximum of 5 animals):**

\_\_\_\_\_ Dogs \_\_\_\_\_ Cats

**14. Describe how the animals will be housed.**

---

**15. List your Pet Exchange source number \_\_\_\_\_**

Council has the right to refuse foster carer applications.

Council has the right to suspend, cancel or not renew a foster carer registration.

I understand that all foster care animals over the age of three months must be registered with Council.

An Authorised Officer will arrange a time to inspect your property for suitability.

I will abide by the Code of Practice for the private keeping of dogs/cats.

**I declare the information contained on this form is true and correct.**

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

## **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

## Voluntary Foster Carer Registration Information

Under current Victorian law, foster carers must register all foster animals (over three months of age) housed at their premises with their local council, even if the animal is in their care for a short period of time.

### What is foster care?

Under Section 3 of the *Domestic Animals Act 1994*, foster care means the care of a stray, abandoned or unwanted dog or cat (whether or not as part of a community foster care network) that is temporary or for the purpose of finding a new home for the dog or cat and that takes place on premises on which the care is being provided to no more than:

- (a) five dogs or animal adult equivalent dogs; or
- (b) five cats or animal equivalent cats; or
- (c) a combination of five dogs and cats or animal adult equivalent dogs and cats.

### What is the voluntary foster care scheme?

Individual foster carers may apply to their local council to be a registered foster carer as part of a voluntary scheme, with registration valid for one year. In accordance with section 68H of the *Domestic Animals Act 1994*, Council may charge a fee to register foster carers in the scheme. Voluntarily registered foster carers will receive:

- a reduced registration rate of no more than \$8 for each dog they foster during the first 12 months the dog is in their care (rate valid from 10 April 2018 to 9 April 2019)
- a reduced registration rate of no more than \$8 for each cat they foster during the first 12 months the cat is in their care (rate valid from 10 April 2018 to 9 April 2019)
- the ability to supply dogs six months of age or older, and cats eight weeks of age or older to pet shops as of 1 July 2018 to enhance foster animal exposure and sale opportunities.

If approval is granted to join the scheme, your local council will issue you with a certificate that you will need to show pet shops to demonstrate that you are an approved source and are eligible to supply cats and dogs.

### Are there other requirements for foster carers?

Maybe, some local councils set limitations on the number of animals you can house at your premises. You may need to apply with council for an excess/multiple animal permit and/or planning permit. In addition, if you have more than five foster animals you will need to apply to be an animal shelter, regardless of how many animals your council permits.

For further information, please see the State Government's [Guide for Victorian dog and cat community foster care networks and rescue groups](#) or visit <http://agriculture.vic.gov.au/pets/puppy-farm-legislation> for fact sheets about the voluntary scheme.

## 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): \_\_\_\_\_

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: \_\_\_\_\_

**Collection Statement:** Moira Shire Council is collecting information on this form for municipal purposes as specified in various acts, regulations and local laws that council has a responsibility to administer. The Personal 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. If you do not provide the information required, we will not be able to process your application. You can find out more about how we use and protect your information by viewing our Privacy Policy on our website [www.moira.vic.gov.au](http://www.moira.vic.gov.au)



## 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): \_\_\_\_\_

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: \_\_\_\_\_

**Collection Statement:** Moira Shire Council is collecting information on this form for municipal purposes as specified in various acts, regulations and local laws that council has a responsibility to administer. The Personal 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. If you do not provide the information required, we will not be able to process your application. You can find out more about how we use and protect your information by viewing our Privacy Policy on our website [www.moira.vic.gov.au](http://www.moira.vic.gov.au)