

## Keep Excess Horse/s on an Allotment

### Application for Approval of a Prescribed Activity

**Cairns Regional Council Local Law No. 1 (Administration) 2016**  
**Cairns Regional Council Local Law No. 2 (Animal Management) 2016**  
**Cairns Regional Council Subordinate Local Law No. 2 (Animal Management) 2016**  
**Schedule 2 – Keeping Of Animals That Require A Permit**  
**Schedule 3 – Specific Standards For Keeping Animals**

**Year: 2019/2020**

You **MUST** complete ALL questions unless the form indicates otherwise. Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all applications, you must:

- complete this form
- complete and provide any supporting documents, information and materials identified on this form as being required to accompany your application
- submit the fee applicable

#### Applicant details

<b>Applicant's name 1</b>	<input style="width: 100%;" type="text"/>
<b>Applicant's name 2</b>	<input style="width: 100%;" type="text"/>
<b>Postal address</b>	<input style="width: 100%;" type="text"/>
<b>Residential Address</b>	<input style="width: 100%;" type="text"/>
<b>Home phone number</b>	<input style="width: 100%;" type="text"/>
<b>Mobile phone number</b>	<input style="width: 100%;" type="text"/>
<b>Business phone number</b>	<input style="width: 100%;" type="text"/>
<b>Other phone number (if applicable)</b>	<input style="width: 100%;" type="text"/>
<b>E-mail address</b> <i>Changing your email address with Council will update all Council email contacts including Rates and Water Notices via email. Only one email address can be held for the owner of single or multiple properties</i>	<input style="width: 100%;" type="text"/>

#### Proposed Kept at Address of Horse/s

<b>Address</b>	<input style="width: 100%;" type="text"/>
<b>Locality/Suburb</b>	<input style="width: 100%;" type="text"/>

Type of Approval	(Please tick)
New Application	<input type="checkbox"/>
Renewal Application	<input type="checkbox"/>

**New Applications ONLY****Description of Horses****Animal No. 1:**

<b>Name</b>			
<b>Age</b>			
<b>Breed</b>			
<b>Colour/s</b>			
<b>Sex</b>	<input type="checkbox"/> Male	<input type="checkbox"/> Female	
<b>Desexed</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Distinguishing Features or marks</b>		<b>Brand Marking</b>	

**Animal No. 2:**

<b>Name</b>			
<b>Age</b>			
<b>Breed</b>			
<b>Colour/s</b>			
<b>Sex</b>	<input type="checkbox"/> Male	<input type="checkbox"/> Female	
<b>Desexed</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Distinguishing Features or marks</b>		<b>Brand Marking</b>	

**Animal No. 3:**

<b>Name</b>			
<b>Age</b>			
<b>Breed</b>			
<b>Colour/s</b>			
<b>Sex</b>	<input type="checkbox"/> Male	<input type="checkbox"/> Female	
<b>Desexed</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Distinguishing Features or marks</b>		<b>Brand Marking</b>	

**Animal No. 4:**

<b>Name</b>			
<b>Age</b>			
<b>Breed</b>			
<b>Colour/s</b>			
<b>Sex</b>	<input type="checkbox"/> Male	<input type="checkbox"/> Female	
<b>Desexed</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Distinguishing Features or marks</b>		<b>Brand Marking</b>	

Fees	\$
New Application Fee	<b>\$ 260.00</b>
Renewal Application Fee	<b>\$ 230.00</b>

**Term of approval:** The term of approval is the period stated on the approval.

**Term of renewal of approval:** The term of any renewal of an approval is the same term as the original approval subject to compliance with all conditions stated on the approval, or such lesser term as stated on the renewal.

### Conditions that must be imposed on approvals

The following conditions are conditions that must be imposed on approvals—

- (a) The approval holder must –
- (i) care for the animal in accordance with appropriate and reasonable standards; and
  - (ii) keep the animal in enclosures that comply with reasonable standards; and
  - (iii) comply with reasonable standards of hygiene; and
  - (iv) ensure that the animal does not cause nuisance, inconvenience or annoyance to others; and
  - (v) take specified action to protect against possible harm to the local environment; and
  - (vi) comply with all reasonable directions of an authorised person in the time specified by the authorised person; and
  - (vii) in the event that one of the horses/s, through whatever means, is no longer kept at the address specified in the application, this permit lapses and the horse/s must not be replaced under this same permit; and
  - (viii) if this Council should receive any substantiated complaints, the permit may be revoked; and
  - (ix) you must keep this permit and be able to show it at any time to this Council; and
  - (x) approvals are to be renewed on the 1<sup>st</sup> day of July each year.

### Declaration:

It is an offence to provide information in or in connection with an application that is, to the person's knowledge, false or misleading in a material particular. Maximum penalty – 20 penalty units.

To the Chief Executive Officer, Cairns Regional Council

I / We make application under *Cairns Regional Council Local Law No. 1 (Administration) 2016* for approval to keep excess horse/s on an allotment as outlined in this form. I / We declare that I / We have read the above and that the information and details contained in and attached to this application are true and correct to the best of my / our knowledge.

**Print Name:**

**Signature:**

**Dated:**

#### **Cairns Regional Council – Information Privacy Statement**

Your personal information has been collected for the purpose of assessing your Application for Approval. The collection of your information is authorised under the *Local Government Act 2009*. You are providing personal information which will be used for the purpose of delivering services and carrying out Council business. Your personal information is handled in accordance with the *Information Privacy Act 2009* and will be accessed by persons who have been authorised to do so. Your information will not be given to any other person or agency unless you have given Council permission or the disclosure is required by law.

#### **OFFICE USE**

Does the application fit the criterion for granting of approval?	<b>YES</b>		<b>NO</b>	
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#### **4. Additional criteria for the granting of approval.**

*The following criteria are criteria that must be considered for the granting of approval –*

- (a) *whether in the opinion of an authorised person*
- (i) *the land is physically suitable for the keeping of the animal;*
  - (ii) *the enclosure in which the animal is to be kept is of a suitable standard;*
  - (iii) *there is a likelihood of the animal causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;*
  - (iv) *there is likelihood that there will be an effect on the local environment and a potential for pollution;*
  - (v) *there is a likelihood that there will be any other environmental damage.*

<b>PAYMENT DETAILS:</b>	<b>Receipt Type 422</b>	<b>Payment Amount \$</b>		<b>Receipt No:</b>	
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## ***Keep Excess Horses/s on an Allotment Information Sheet***

Under *Cairns Regional Council Subordinate Local Law No. 2 (Animal Management) 2016*, Schedule 1, it is prohibited to keep a horse on any allotment with an area less than 2,000m<sup>2</sup>. Under the *Cairns Regional Council Subordinate Local Law No. 2 (Animal Management) 2016*, Schedule 2, an approval is required to keep more than one (1) horse on an allotment 2,000m<sup>2</sup> to 10,000m<sup>2</sup>.

In order to process your application you must have an established area for the horses. Once Council receives your completed application and relevant fees, an appointment will be made to access the premises for the assessment of the application. A permit may specify certain regulations be followed such as the daily collection of manure, regular worming of the horses and hand feeding on a daily basis.

Please refer to Councils website for relevant application fees.

Renewal applications will be issued and be due payable on the 1<sup>st</sup> July each year. Re-inspection of your premises may be required after receipt of your renewal application.

### **Should: -**

- one (1) of the horses become deceased, or is moved from the area and you wish to replace the horse and continue to keep excess horses, you must then reapply for a new application.
- the horses move from the address, you must then reapply for a new application.
- you wish to breed from these horses, you must apply for an application for approval to breed.
- you wish to keep more horses than permitted under Councils Local Law, it may be necessary to apply for a development approval through Planning.

# **Cairns Regional Council Local Law No. 2 (Animal Management) 2016**

## **Part 2 – Division 4 - Minimum standards for keeping animals generally**

### Section 11

#### **1. All animals—**

The keeper of the animal must:

- (a) ensure that any land adjoining a road on which an animal is kept is adequately fenced so as to prevent animals escaping from the land onto the road;
- (b) ensure that waste waters from enclosures are drained in a nuisance free manner and that run-off is kept off adjoining premises or as otherwise directed by an authorised person;
- (c) ensure that: (i) excreta, food scraps and other material that is, or is likely to become, offensive (“waste”) is collected at least daily;
  - (ii) such waste, if not immediately removed from the premises, is kept in a water proof receptacle that prevents access to flies and vermin and does not allow the emission of nuisance odours; and
  - (iii) such waste is removed at least weekly and disposed of in such a manner so as not to be a nuisance or injurious to health;
- (d) ensure that any enclosure in which the animal is kept is properly maintained in: (i) a clean and sanitary condition;
  - (ii) in good repair and appearance; and
  - (iii) free from flies, rats, or other vermin and nuisance odours;
- (e) ensure that any enclosure in which the animal is kept is not located within 10m of a place used for the preparation of food other than a place used for the preparation of food by the owner of, or the responsible person for, the animal;
- (f) ensure that an enclosure provides adequate space for the type of animal being kept therein;
- (g) provide and maintain impervious rat-proof receptacles and other impervious rat-proof storeroom facilities for the storage of feed;
- (h) provide the animal with and ensure the animal has access to adequate shelter from sun, wind and rain;
- (i) provide the animal with an appropriate quantity and quality of food and an appropriate quantity of clean drinking water to maintain an animal in good health; and
- (j) ensure that an animal is kept so that it does not:
  - (i) cause an unreasonable nuisance; or (ii) become injurious or prejudicial to health.

**Cairns Regional Council Subordinate Local Law No. 2 (Animal Management) 2016**

**Schedule 3 - Specific standards for keeping particular animals**

Section 12

**Horse, Cattle, Donkey, Sheep, Goat and other animals of a similar size: -**

- (1) Ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable;
- (2) Each owner of, and responsible person for, an animal specified in Column 1, item 3 which is kept at a stable on premises must ensure that:
  - (a) the stable is not located within a 10 metre radius of:
    - (i) a residence on adjoining premises; or
    - (ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal.
  - (b) the stable is set back a minimum of 2 meters from each boundary of the premises;
  - (c) the stable is located a minimum of 20 meters from any watercourse, well or bore;
  - (d) the stable has a floor which is covered with an absorbent soft floor material which is changed at least once in every six week period;
  - (e) the interior of the stable and any associated open yard are cleaned of manure and other unhygienic matter daily;
  - (f) the construction of the stable complies with the requirements of any applicable approval or code; and
  - (g) the stable is maintained in good condition and repair.
- (3) Each owner of, and responsible person for, an animal which is kept free range or in a paddock on premises must ensure that shelter of a clean, dry and shady nature is provided together with a minimum space per animal as prescribed in the Model Code of Practice for the Welfare of Animals published from time to time by the Commonwealth Scientific and Industrial Research Organisation.