

## Noisy Bird/s

### 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 1 – Prohibition on Keeping Animals**  
**Schedule 2 – Keeping of Animals that Requires a Permit**

**Year: 2020/2021**

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 Noisy Bird

<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 Noisy Bird/s

<b>Name/s</b>	
<b>Age/s</b>	
<b>Breed/s</b>	
<b>Colour/s</b>	
<b>Sex</b>	<input type="checkbox"/> Male <input type="checkbox"/> Female
<b>No. of Birds</b>	
<b>Distinguishing Features or marks</b>	

<b>Fees</b>	<b>\$</b>
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 birds in accordance with appropriate and reasonable standards; and
  - (ii) keep the birds in enclosures that comply with reasonable standards; and
  - (iii) comply with reasonable standards of hygiene; and
  - (iv) ensure that the birds 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 birds, through whatever means, is no longer kept at the address specified in the application, this permit lapses and the birds 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 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 Noisy Bird/s 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?

**YES**

**NO**

**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;*

*(vi) the number of animals permitted.*

**PAYMENT DETAILS:**

**Receipt Type 422**

**Payment Amount \$**

**Receipt No:**

## **Noisy Bird Information Sheet**

Under the *Cairns Regional Council Subordinate Local Law No. 2 (Animal Management) 2016*, Schedule 1, it is prohibited to keep a noisy bird on any allotment less than 800m<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) noisy bird on an allotment 800m<sup>2</sup> to 10,000m<sup>2</sup>.

**Noisy Bird** means a bird that is noisy in the opinion of an authorised person and includes a cacophonous bird of the Galah, cockatoo, magpie, peacock or currawong variety but does not include a rooster.

Once Council receives your completed application and relevant fees, an appointment will be made to access the premises for the assessment of the application.

Please refer to Council's 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: -**

- the bird become deceased and you wish to replace the bird, you must then reapply for a new permit.
- you move address; you must then reapply for a new permit.

### **Nuisance**

An animal must not be kept so that it does, in the opinion of an authorised person, cause a nuisance or be injurious or prejudicial to health, including a nuisance from a dog or any animal that creates a noise which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or social well-being of a reasonable person.