



FORM A
APPLICATION FOR APPROVAL TO CONSTRUCT* AN ANIMAL
DISPLAY ESTABLISHMENT

* “construct” means “erect” or “convert premises into”

INFORMATION FOR APPLICANTS

To apply for approval to construct an animal display establishment:

- Detach the front “Information for Applicants” section , pages i - v, and retain for reference
- Complete the application form, attaching:
 - the \$230 lodgement fee
(cheques should be made payable to NSW Trade and Investment),
(credit card details may be provided – see page 11),
and
 - all documents referred to in the application form (including fully completed Form Gs and Form Ds (if relevant), their lodgement fees and the documents referred to in those application forms).
- Return the completed form by:
 - preferred method: emailing a pdf file of the completed, signed form(s), attachments and credit card details to animal.welfare@dpi.nsw.gov.au
or
 - posting the completed, signed form(s) and attachments, including lodgement fees to:
Licensing Clerk
Animal Welfare Unit
Department of Primary Industries
Locked Bag 21
ORANGE NSW 2800

Any application that is not accompanied by the relevant fee(s) and supporting documents referred to in this form will be returned without further assessment.

HOW WILL YOUR APPLICATION BE ASSESSED?

Approval to construct an animal display establishment cannot be issued unless the Director-General of the Department of Trade and Investment, Regional Infrastructure and Services is satisfied that the animal display establishment will conform to and be conducted in accordance with the prescribed standards.

You should ensure that you understand all applicable legislation and standards. The names of prescribed standards are listed in the *Exhibited Animal Protection Regulation 2010*.

You can download the *Exhibited Animals Protection Act 1986* and the *Exhibited Animals Protection Regulation 2010* from the NSW Legislation Website at:

<http://www.legislation.nsw.gov.au/>

Or you can purchase copies from:

Salmat, Print on Demand
Phone: 1300 656 986
Fax: 02 9311 1076
Email: bookshop@salmat.com.au

You can download copies of the relevant prescribed standards from:

www.dpi.nsw.gov.au/agriculture/livestock/animal-welfare/exhibit

Or you can obtain them from:

Animal Welfare Unit
Department of Primary Industries
Locked Bag 21
ORANGE NSW 2800

Phone: 02 6391 3726
Fax: 02 6391 3740

WHAT FORMS DO YOU NEED TO SUBMIT?

1. A fully completed "*Form A: Application for Approval to Construct an Animal Display Establishment*" that relates to the premises you propose to use as an animal display establishment. It must be accompanied by a \$230 lodgement fee and any documents referred to in Form A.
2. A fully completed "*Form G: Application for Approval to Construct or Alter an Animal Display Enclosure or Facility*" for each proposed animal enclosure (including display, off display and health management enclosures and the outer property fence) and each proposed animal support facility (including food preparation and feed storage facilities, animal treatment area and post mortem facilities). Each Form G must be accompanied by a \$46 lodgement fee and any documents referred to in the Form G.
3. A fully completed "*Form D: Application for a Permit to Exhibit a Prescribed Species*" for each prescribed species you have listed in your answer to Question 13 in Form A. Only some species are prescribed species and they are listed in Schedule 2 of the *Exhibited Animals Protection Regulation 2010* (See "Permits for Certain Animals" below.) **A separate Form D must be submitted for each prescribed species** and each Form D must be accompanied by a \$23 lodgement fee and any documents referred to in the Form D.

THE ASSESSMENT PROCESS

APPLICATION FORMS SUBMITTED WITHOUT FEES OR DOCUMENTS

Your application forms will first be reviewed by a departmental assessor to ensure the forms are accompanied by:

- a) the relevant fees; and
- b) any documents referred to in the forms.

It is a requirement of the *Exhibited Animals Protection Regulation 2010* that an application be accompanied by any documents referred to in the approved form and by the relevant fees.

Any application form that is not accompanied by the relevant fees and supporting documents referred to in this form will be returned without further assessment.

Note that inquiries may be undertaken by staff of the Department of Primary Industries to verify information supplied within this application. It is an offence to provide false or misleading information.

OPPORTUNITY TO SUBMIT FURTHER INFORMATION AND CLARIFY

An application form that is accompanied by the relevant fees and documents will be reviewed by an assessor who will notify the applicant of any missing or unclear information and give the applicant 4 weeks (28 days) to submit the missing information and to clarify unclear information.

DECISION

Once the 4 week period has passed the Director-General or his delegate, will either: a) decide to approve or refuse the application; or b) request advice from the Exhibited Animals Advisory Committee before making such a decision.

HOW LONG DOES IT TAKE?

The Department of Primary Industries attempts to make a final decision within 6 weeks of receiving an application to construct an animal display establishment. You should, however, submit your application well before you propose to commence construction as assessment may take longer, especially if the Department requires advice from the Exhibited Animals Advisory Committee. The Committee only meets once every three months.

LEASE AGREEMENTS

If you do not own the premises that you propose to use as an animal display establishment then you must ensure that you have a written lease agreement with the owner giving you the legal rights to:

- a) use the premises as an animal establishment;
- b) invite any other person on to the premises including any inspectors appointed under legislation; and
- c) do anything on those premises which may be required under the *Exhibited Animals Protection Act 1986* and Regulation in relation to your use of the premises. For example, this could include any alterations required to ensure that fence enclosures or animal enclosures are satisfactory. The Department of Primary Industries is unable to provide legal advice to you on the terms of your lease agreements, and you should obtain your own legal advice if you have any concerns.

WHAT HAPPENS IF YOUR APPLICATIONS ARE APPROVED?

- You are permitted, subject to the conditions of your approval, to construct the animal display establishment proposed in your application.
- On completion of construction, you should contact the Leader, Exhibited Animals on 02 63913716 to arrange an inspection of the completed animal display establishment.
- Following a satisfactory inspection, you will be required to pay the relevant issue fee (\$285 for a Minor Exhibitor, otherwise \$1035) and confirm that satisfactory insurance has been obtained.
- A Minor Exhibitor means a person who exhibits or is going to exhibit no more than 30 animals.
- On receipt of your issue fee the Department of Primary Industries will issue your Licence.

- You can only acquire an animal for exhibition if:
 - the appropriate Licence (and Permit if applicable) has been issued; and
 - in the case of prescribed species, you have received approval to acquire the animal after submitting an “*Application to Acquire or Dispose of Animals*” (see Clause 32 of the Regulation for exemption).
 - you do not hold the same species under an Animal Keepers Licence issued by the Office of Environment and Heritage under the *National Parks and Wildlife Act 1974*.

WHAT HAPPENS IF AN APPLICATION IS REFUSED?

- You will be advised in writing of the grounds for refusal.
- Your lodgement fees are non-refundable.
- You are eligible to reapply or to appeal to the Administrative Decisions Tribunal within a prescribed period.

GROUNDINGS FOR REFUSAL

Grounds for refusal of an application may include:

- The information provided indicates that the proposed animal display establishment will not conform to, and/or be conducted in accordance with, the prescribed standards.
- Insufficient information has been provided to satisfy the Department of Primary Industries that the proposed animal display establishment will conform to, and/or be conducted in accordance with, the prescribed standards.
- The applicant is not a fit and proper person to hold a licence due to the applicant:
 - providing false or misleading information.
 - having prior offences under the relevant legislation (See Question 6).
- Failure of the applicant to withdraw the application within two weeks of the Department of Primary Industries receiving advice that the applicant is no longer willing or able to construct an animal display establishment at the premises indicated in the application. (Each application is specific to the address indicated and cannot be altered to apply to different premises. If the applicant wishes to construct an animal display establishment at premises other than those indicated in the application then a new application must be made.)

PERMITS FOR CERTAIN ANIMALS

A Permit is required before certain species of animals may be exhibited. A list of these prescribed species can be found in Schedule 2 of the *Exhibited Animals Protection Regulation 2010*.

Exhibitors of these species must meet particular standards because of the special nature of these prescribed species. These animals are special because they meet one or more of the following descriptions:

- 1) Species that require specialist care and/or which pose a threat to keeper or public safety.
- 2) Species that are subject to studbooks or cooperative conservation programs conducted under the auspices of the Australasian Species Management Program of the Zoo and Aquarium Association.

You should review the list of species that you have provided under Question 13 to see if any of these are permit species. As stated above, for each permit species, you will need to submit a completed *Form D: Application for a Permit to Exhibit a Prescribed Species*.

POSSESSION OF ANIMALS UNDER BOTH THE *EXHIBITED ANIMALS PROTECTION ACT 1986* AND *NATIONAL PARKS AND WILDLIFE ACT 1974*.

The Department of Primary Industries and the Office of Environment and Heritage (OEH) have a policy prohibiting exhibitors under the *Exhibited Animals Protection Act 1986* holding the **same species** simultaneously under an Animal Keepers Licence issued under the *National Parks and Wildlife Act 1974*. This is required to avoid confusion in determining which individual animals are covered by which licence.

A person who holds a species under an OEH Animal Keepers Licence may not exhibit that species. To gain approval to exhibit that species the person must hold a relevant exhibitor's authority (issued by the Department of Primary Industries) and have obtained the approval of the Department of Primary Industries to transfer all specimens of that species to the exhibitor's authority. For example, if you have three blue tongue lizards on an OEH Animal Keepers Licence and wish to exhibit one of them under your Department of Primary Industries animal display licence, you must first transfer all three blue tongues to the Department of Primary Industries licence.

Please note that both the Department of Primary Industries and if required the Office of Environment, and Heritage, will include a condition on your authorities that precludes any species being held under both authorities simultaneously. Any future changes to your collection will need to be in accordance with this condition.

If you need further information or assistance with completing the application form please contact the Animal Welfare Unit on (02) 6391 3276.



* "construct" means "erect" or "convert premises into"

Use this form to apply for approval to construct or convert premises into an animal display establishment.

Lodgement Fee: \$230

Type or use black ink (block letters). If there is insufficient space on the form, continue your answers on separate sheets, each of which should be signed and firmly attached.

1. APPLICANT DETAILS (Legal Entity)

If the applicant is a sole trader, complete A only.

If the applicant is a corporation or incorporated association, complete A and B.

If the applicant is a government authority, complete A and C.

Note: partnerships are not eligible to apply.

A - All Applicants should complete this question

For a sole trader – give personal details. For a corporation, incorporated association or government authority - give details of the organisation’s chief executive officer.

Mr, Mrs, Ms, Dr etc.	
Given Name(s)	
Surname	
Position Title	
Residential Address	
Postal Address	
Date of Birth	
Place of Birth	
Business Phone	
Fax	
Mobile Phone	
Email	
Website	

Departmental use only

20305 152-1

Exhibited Animals Application

Receipt No.

B - Corporations and incorporated associations

Attach a current ASIC print out showing all current company directors. *(Mark it Attachment 2B)*

Corporation Name	
Type of Corporation e.g. Ltd, P/L, Inc.	
Date of incorporation	
Place of incorporation	
Postal Address	
Registered Office Address	
Street Address (if different to Registered Office Address)	
Phone	
Fax	
Mobile Phone	
Email	
Website	

C – Government authorities

Name of Authority	
Postal Address	
Registered Office Address	
Street Address (if different to Registered Office Address)	
Phone	
Fax	
Mobile Phone	
Email	
Website	

2. APPLICANT'S REPRESENTATIVE (INDIVIDUAL)

The applicant authorises the following person to act on the applicant's behalf to receive correspondence from, and submit information to the Department of Primary Industries in relation to this application.

Position Title	
Mr, Mrs, Ms, Dr etc.	
Given Name(s)	
Surname	
Sample Signature	
Postal Address	
Date of Birth	
Business Phone	
Fax	
Mobile Phone	
Email	

3. BUSINESS/TRADING NAME(S)

Indicate below the proposed Business/Trading name(s) for the animal display establishment and attach a Certificate of Business Registration for each name. (*Mark as Attachment 3*).

Business Name	Registration certificate attached? Yes/No

Note: the name of the applicant, and the name of the proprietor on the certificate of business registration must be the same.

4. DETAILS OF PREMISES

A. Describe the premises at which the applicant proposes to construct the animal display establishment.

Street/Lot No.	
Street	
Suburb	
Post Code	
Folio Identifier	
Volume	
Folio	

B. Do you want only part of this property to be licensed? YES NO

C. If you answered 'Yes' to B, attach a copy of a surveyor's plan indicating the boundary of the proposed establishment. (Mark as Attachment 4C)

D. Is the applicant the owner of the premises described above? YES NO

E. If you answered 'No' to D, what is the name and address of the owner or owner's agent?

F. If you answered 'No' to D complete the following. I certify that:

- a) the applicant has the right to occupy the premises under a written lease agreement with the owner named above;
- b) the lease allows the applicant to invite any other person on to the premises including any inspectors appointed under legislation;
- c) the lease allows the applicant to use the premises as an animal display establishment and to do anything on those premises which may be required under the *Exhibited Animals Protection Act 1986* and *Exhibited Animals Protection Regulation 2010* in relation to the applicant's use of the premises; and
- d) the applicant has agreed to notify the Department of Primary Industries immediately of any change in circumstances that affects the accuracy of these statements.

YES

G. Facilities, other than those for animal exhibition, which currently occupy these premises, are:

Name	
Role of Facility (e.g. Theme Park)	

5. LOCAL COUNCIL APPROVAL

Attach a copy of all necessary Local Council approvals for the premises (or that part of the premises indicated in the response to 4C) to be used as an animal display establishment. (Mark as Attachment 5)

Copy attached? YES NO

Note: This application cannot be approved unless notice of approval is submitted.

6. PRIOR OFFENCES, REFUSALS OF APPLICATIONS, ETC.

Has the applicant or any person with a proprietary or management role in the proposed animal display:

- had an application refused; or
- been convicted of any offence; or
- a charge pending for any offence;

under the:

- a) *Exhibited Animals Protection Act, 1986?* YES NO
- b) *Prevention of Cruelty to Animals Act, 1979?* YES NO
- c) *Animal Research Act, 1985?* YES NO
- d) *Non-Indigenous Animals Act, 1987?* YES NO
- e) *National Parks and Wildlife Act, 1974?* YES NO
- f) Other equivalent Commonwealth, State or Territory statutes or under the Regulations to those statutes? YES NO

If you answered 'yes' to any of the above offences, provide full details – including the offence, year, pleas of guilty, and sentencing that outlines any convictions recorded.

7. POSSESSION OF AN ANIMAL KEEPERS LICENCE UNDER THE NATIONAL PARKS AND WILDLIFE ACT 1974

Do you hold an Animal Keepers Licence under the *National Parks and Wildlife Act 1974* issued by the Office of Environment and Heritage?

YES NO

If you answered 'Yes' complete the following:

I certify that I will not hold animals of the same species under both an *Exhibited Animals Protection Act 1986* authority and an Animals Keepers Licence issued under the *National Parks and Wildlife Act 1974*.

YES

8. ACT, REGULATION AND STANDARDS

Attach a photocopy of the front page of the *Exhibited Animals Protection Act 1986* and the *Exhibited Animals Protection Regulation 2010*, and all relevant prescribed exhibit standards to show that you have obtained these documents. (Mark as Attachment 8)

9. PUBLIC RISK INSURANCE

Attach details of the public risk insurance policy that will cover your animal display operation. It is acceptable to include a copy of a quotation with this application however ordinarily a satisfactory policy giving cover for at least \$10 million must be in effect before an animal display establishment licence can be issued. (Mark as Attachment 9)

Note: the name of the applicant and the name of the insured on the public liability policy must be the same.

10. FIRST AID

Indicate the type of first aid kit that will be provided for the use of visitors.

11. HYGIENE

Describe the hand washing facilities that will be provided for members of the public who are allowed to contact animals.

12. OPENING DETAILS

A. Proposed date of opening to the public:

--

B. Proposed regular opening and closing times:

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Open							
Close							

C. Other occasions when the animal display establishment may be open:

13. SPECIES LIST AND PERMIT APPLICATIONS

A. Provide details of the number of each species of vertebrate animal that you wish to exhibit during the first year of operation.

Note:

- The possession of the same species under both an *Exhibited Animals Protection Act 1986* authority and a *National Parks and Wildlife Act 1974* Animal Keepers Licence is prohibited. See the Information for Applicants section and Question 7 for more details.
- Licence issue fees can be minimised by restricting the number of animals to 30 or less.
- Failure to include appropriate common and scientific names is unacceptable.

Common Name	Scientific Name	Numbers				Permit Species (Y/N)
		M	F	U	Total	
TOTAL NUMBER OF ALL ANIMALS						

B. Attach a fully completed “Form D: Application for a Permit to Exhibit a Prescribed Species” for each prescribed species you have listed in your answer. Prescribed species are listed in Schedule 2 of the *Exhibited Animals Protection Regulation 2010*. Each Form D must be accompanied by a \$23 lodgement fee and any documents referred to in the Form D. (Mark as Attachment 13B)

14. ANIMAL DIET

For each species listed, attach a description of the diet you propose providing, including frequency of food provision, seasonal alternatives and variations such as starve days. (Mark as Attachment 14)

17. PLAN OF THE ESTABLISHMENT

Attach an in-scale plan view of the proposed establishment (*Mark as Attachment 17*), including the following details:

- a) A title
- b) Name of applicant
- c) Address of proposed animal display establishment
- d) Direction of true north
- e) Drawing numbers and revisions, if applicable
- f) Drawing scale/s
- g) Name of draftsperson/architect and date of plan
- h) Specifications of the total area of the premises
- i) The proposed location of each animal enclosure and support facility on the premises
- j) A fence for the outer boundary of the establishment
- k) Roads, walkways and car parks
- l) Storage for food, hoists, machines, tools, building materials, landscaping materials and vehicles
- m) Entrances, catering, shops, toilets and hand-washing facilities for public/staff, shelter and seating for visitors
- n) Veterinary buildings with isolation or quarantine facilities
- o) Water, electricity, and gas supplies, fuel storage, chemical storage, and greenhouses
- p) Waste disposal and drainage
- q) Any existing structures and facilities on the proposed premises, and
- r) Any structures or modifications not listed above

18. ANIMAL ENCLOSURES

Attach a fully completed "*Form G: Application for Approval to Construct or Alter an Animal Display Enclosure or Facility*" for each animal enclosure proposed to form part of the proposed animal display establishment. Each Form G must be accompanied by a \$46 lodgement fee and any documents referred to in the Form G. (*Mark as Attachment 18*)

Have you attached a Form G for each:

- a) exhibit enclosure YES
- b) off-exhibit enclosure YES
- c) health management enclosure YES
- d) animal treatment area YES
- e) outer property fence and gates YES

19. SUPPORT FACILITIES

Attach a fully completed "*Form G: Application for Approval to Construct or Alter an Animal Display Enclosure or Facility*" for each of the following support facilities proposed to form part of the proposed animal display establishment. Each Form G must be accompanied by a \$46 lodgement fee and any documents referred to in the Form G. (*Mark as Attachment 19*)

Have you attached a Form G for the:

- a) food preparation area YES
- b) feed storage facilities YES
- c) post mortem facilities YES

22. APPLICATION FEE

The fees payable are:

- \$230 lodgment fee for an *Application for Approval to Construct an Animal Display Establishment* (Form A)
- \$23 for each *Application for a Permit to Exhibit a Prescribed Species* (Form D).
- \$46 for each *Application for Approval to Construct or Alter an Animal Display Enclosure or Facility* form (Form G).

Application Fee Calculator

Form	Number of Applications	Price per Application	Total
Form A	1	X \$230	\$230
Form D		X \$23	\$
Form G		X \$46	\$
Grand Total			\$

Select payment method

Cheque (Payable to NSW Trade and Investment)	<input type="checkbox"/>	Money order (Payable to NSW Trade and Investment)	<input type="checkbox"/>	Credit Card (see below)	<input type="checkbox"/>
--	--------------------------	---	--------------------------	----------------------------	--------------------------

Payment Amount	
Type of Card	Bankcard <input type="checkbox"/> Visa <input type="checkbox"/> Mastercard <input type="checkbox"/>
Card No. (16 digits)	
Credit card verification number (security number)	
Expiry	/
Cardholder's Name	
Cardholder's Signature	

DECLARATION

I certify that to the best of my knowledge, the above answers are correct and complete and that I am aware of the relevant provisions of the *Exhibited Animals Protection Act 1986*, *Prevention of Cruelty to Animals Act 1979*, *Non-Indigenous Animals Act 1987*, the *NSW National Parks and Wildlife Act 1974* and their accompanying Regulations and by reason of my knowledge, experience and facilities can reasonably be expected to comply with their requirements.

I understand that a further issue fee must be paid before an animal display establishment licence can be issued.

I acknowledge that providing false or misleading information is an offence under the Act.

I acknowledge that construction of facilities will not commence until permission has been granted.

I consent to staff of the Department of Primary Industries contacting any referees to verify experience and make other enquiries to confirm information provided within this application. This may include consulting with industry experts to obtain specialised advice.

To be signed by the person whose details appear in Question 1A.

Name	
Position Title	
Signature	
Date	

Return the completed form by:

- Preferred method: emailing a pdf of the completed, signed form/s, attachments and credit card details to animal.welfare@dpi.nsw.gov.au
OR
- Posting the completed, signed form/s and attachments, including lodgement fees, to:
*Licensing Clerk
Animal Welfare Unit
Department of Primary Industries
Locked Bag 21
ORANGE NSW 2800*

For more information, contact the Animal Welfare Unit on 6391 3726

Privacy: The information collected in this form will be stored securely and used only for the purposes for which it has been collected. See our full privacy policy <http://www.trade.nsw.gov.au/legal/privacy>

APPLICANT'S CHECK LIST

- 1) Applicant details
- 2) Details of Representative acting on Applicant's behalf
- 3) Business and trading name – including Certificate of Business/Trading name
- 4) Animal display establishment premises details
 - a) Premises description
 - b) Part of property to be licensed
 - c) Surveyor's plan of part
 - d) Applicant is owner?
 - e) Name and address of the owner of the premises
 - f) Lease declaration
 - g) Details of facilities other than for animal exhibition
- 5) Local council approval to construct an animal display establishment
- 6) Details of any prior offences
- 7) Possession of a licence under the *National Parks and Wildlife Act 1974*
- 8) Attach copies of the front page of the Act, Regulation and relevant standards
- 9) Public risk insurance certificate
- 10) First aid equipment
- 11) Hygiene - hand washing facilities
- 12) Opening details
 - a) Proposed opening date
 - b) Opening and closing times
 - c) Other occasions
- 13) Species list and Permit (Form D) applications
 - a) List of each species proposed to be displayed
 - b) Permit application (Form D) for each prescribed species (including \$23 fee per species + supporting documents)
- 14) Diets for each species
- 15) Animal identification
- 16) Veterinary services
- 17) Plan of the establishment
- 18) "Form G" Application for each animal enclosure

(including \$46 fee per species + supporting documents)
- 19) "Form G" Application for each support facility

(including \$46 fee per species + supporting documents)
- 20) Education proposal
- 21) Staff
 - a) Résumé and certificates of each staff member
 - b) Numbers and types of staff
- 22) Application fees paid
- 23) Declaration
- 24) Make and keep a copy of this application