

EXPRESSION OF INTEREST REHOMING OF UNCLAIMED HORSES

Mornington Shire Council (“**Council**”) has adopted a Wandering Horses Strategy.

This Strategy aims to address the issue of wandering horses in the community by either relocating them to Council’s Designated Horse Enclosure or by relocating the animal to the owner’s property in compliance with *Local Law No. 2 (Animal Management) 2016 (“LL2”)*.

Where an owner cannot be located, and/or any impounded horses are not reclaimed with the Prescribed Period under LL2, Council can choose how to dispose of the animal in a way that does not involve destroying the animal under section 31(1)(c) of LL2.

Therefore, Council is currently seeking expressions of interest from any interested persons who are willing and able to rehome any unclaimed horses.

Council will not be responsible for the rehoming operation, or any costs incurred in carrying out the rehoming, including any transportation costs or other costs associated with keeping the horses.

Expression of Interest - Selection Criteria

The following selection criteria will be used by Council to determine an appropriate person or persons to rehome unclaimed horses:

1. Proven experience in handling livestock, in particular horses;
2. The ability to house the horse/horses outside of the Designated Township Area, on a property that complies with LL2 and that has the required landowner approval to do so; and
3. The ability to properly care for and look after the horse/horses such that it will not result in the animal being kept in contravention of LL2.

If you are interested in rehoming unclaimed horses, your Expression of Interest (“**EOI**”) should include a response to each of the Selection Criteria above, including the contact details of a referee who may be contacted regarding your application. You will also be required to acknowledge and agree to the terms and conditions contained in Schedule 1 when responding to this EOI.

You can apply in writing to Council by sending it to:

Acting Chief Executive Officer
Mornington Shire Council
1 Mission Road, Gununa QLD 4892
[e] aceo@mornington.qld.gov.au

Applications must be submitted by 5pm on the 5th December 2022

EOIs will remain valid for six (6) months after the EOI closing time and may be extended with the written consent of the Chief Executive Officer of Council.

**ACTING CHIEF EXECUTIVE OFFICER
MORNINGTON SHIRE COUNCIL**

SCHEDULE 1

TERMS AND CONDITIONS

In submitting a response to the EOI, the Applicant acknowledges and agrees to all of the following terms and conditions:

1. Even if a response to an EOI is considered favourably by Council, Council is not obliged to rehome the Animal to the person or entity seeking to rehome the horse/s ("**the Animal**").
2. The Applicant acknowledges that agreement by Council to rehome the Animal on one occasion does not guarantee the rehoming of any further Animal on any other occasion.
3. Following the seizure and impoundment process under LL2, Council will only agree to rehoming of the Animal by the Applicant, rather than pursuing alternative options under section 31 for disposal, on the condition that the Applicant:
 - (a) acknowledges and agrees that ownership and full responsibility for the Animal passes to the Applicant on collection of the Animal from Council's Designated Horse Enclosure;
 - (b) will not, under any circumstance, use the hobbling of the Animal to prevent it from wandering;
 - (c) is responsible for all costs associated with the rehoming and future care of the Animal;
 - (d) will comply with all obligations as the owner/responsible person in relation to keeping the Animal in accordance with *Local Law No. 2 (Animal Management) 2016 ("LL2")* and *Subordinate Local Law No. 2 (Animal Management) 2016*; and
 - (e) agrees that by submitting an expression of interest, he/she is able to rehome the horse/horses at an appropriate location outside of the Designated Township Area, on a property that complies with LL2 and has the required landowner approval, and any other approvals that may be required for the Applicant to keep the horse/horses on that property.
4. The Applicant acknowledges that he/she rehomes the Animal at their own risk at all times and that the Applicant bears full responsibility for any disease, accident, illness, injury, death or any other loss howsoever caused or arising to the Animal or to any other person or other animal, on collection of the Animal from Council's Designated Horse Enclosure.
5. Council, including its employees, representatives and contractors, is not liable to the Applicant for any loss or damage (including consequential loss) to any person, property or animal arising from the rehoming of the Animal by the Applicant.
6. The Applicant indemnifies Council from and against any claim, damage, loss or expense suffered by Council or others as a result of the rehoming of the Animal by the Applicant.