



DOG CONTROL ACT 2000

KENNEL LICENCE APPLICATION

INFORMATION PACK

Please take the time to read through the following information as it answers many commonly asked questions and is designed to assist you when submitting an application for a kennel licence.

The Act and the regulations made under the Act contain a number of procedures that must be followed by an applicant prior to, and when lodging their application. Similarly the Act also prescribes the manner in which Council will process the application. **To enable your application to be dealt with in the shortest possible time, please ensure that all relevant information is provided.** Should you require further information or assistance please do not hesitate to contact Customer Service on 6211 8200.

WHEN IS A KENNEL LICENCE REQUIRED?

Division 7 of the Dog Control Act 2000, states that where a person keeps more than two (2) dogs (or, in the case of working dogs, four dogs) over the age of six months on any property they must apply to the General Manager for a kennel licence.

HOW TO APPLY FOR A LICENCE

Complete the attached **“Application for Kennel Licence”**. Use the checklist on the back of the form to ensure that your application can be processed.

Lodge the application together with the prescribed fees to Council's Cashier

Council will publish a **“Notice of Intention to Apply for Kennel Licence”** on your behalf in the Public Notices section of “The Mercury” newspaper, generally in the Saturday Mercury.

WHO MAY OBJECT TO THE GRANTING OF THE LICENCE?

Any person residing or owning land within two hundred (200) metres of **the boundary of the premises to which the licence relates** may submit a written objection to the Council within fourteen (14) days of publication of the **“Notice of Intention to Apply for Kennel Licence”**. The reasons for the objection must be clearly set out.



HOW WILL COUNCIL PROCESS THE APPLICATION

Council cannot consider the application until twenty-eight (28) days after the publication of the **“Notice of Intention to Apply for Kennel Licence”**.

A Council Officer will inspect the property including all kennels and yards.

HOW WILL COUNCIL REACH A DECISION?

In reaching a decision as to whether to grant a licence and if so what conditions, if any, shall apply to the licence, Council may take into account any relevant objections.

The site inspection report will be considered together with any other matters that relate to public health and environmental laws.

The likelihood of the dogs creating a nuisance by barking or otherwise will be taken into consideration.

Once a decision has been made, Council will notify the applicant of the outcome of their application.

HOWEVER, THE LICENCE WILL NOT BE ISSUED UNTIL ALL DOGS KEPT ON THE PROPERTY ARE REGISTERED.

In the case of Boarding or Breeding Kennels then only those dogs belonging to you need to be registered as all other dogs are **exempt** for obvious reasons.

Where the application is successful the licence will be issued together with a covering letter drawing the licence holder's attention to the conditions that apply to the licence, and notification of the date on which the licence expires.

Where a licence is refused the applicant will receive written notification. This notification will be sent by registered mail.

CAN COUNCIL REFUSE TO GRANT, RENEW OR CANCEL A LICENCE?

Council may refuse to grant a licence if it is of the opinion that:

-  the requirements of the Dog Control Act and the Public Health Act are not being complied with;
-  the condition of the premises is creating a nuisance;
-  the requirements of the Dog Control Regulations are not being complied with; or
-  it is in the public interest that the licence not be issued or renewed;

A licence may be cancelled at any time if Council is satisfied that:

-  the premises do not comply with the Dog Control Regulations; or
-  laws relating to public health and environmental protection are not being complied with.

Notification in writing will be given in this instance allowing 1 months notice of cancellation.

WHAT IF COUNCIL REFUSES TO GRANT, OR RENEW, OR INTENDS TO CANCEL A LICENCE?

You may appeal to a magistrate. An appeal shall:

- 🐾 be instituted by giving written notice to the Clerk of Petty Sessions on the prescribed form;
- 🐾 be accompanied by the prescribed fee;
- 🐾 be made within the prescribed time (21 days of the date of Council notification); and
- 🐾 otherwise be instituted in the prescribed manner.

At the hearing of an appeal the magistrate may:

- 🐾 dismiss the appeal;
- 🐾 direct the Council to grant or renew the licence; or
- 🐾 quash the Council's decision to cancel the licence, subject to any conditions the magistrate thinks fit.

Council must comply with any directions given to it by a magistrate. The magistrate's decision is final.

CONDITIONS

Council may grant a licence that is subject to one or more conditions.

Where a licence is granted for the keeping of dogs on premises that do not meet the aforementioned specifications, it can be expected that the licence will be subject to a number of conditions.

Licence holders should be aware that failure to comply with the conditions listed on the licence might result in the cancellation or non-renewal of the licence.

RENEWAL OF LICENCE

Kennel licences expire on the 30th day of June each year.

Licences may be renewed for a further twelve months upon payment of the prescribed renewal fee and a satisfactory inspection of the premises by an authorised Council Officer. Failing to renew your licence will automatically result in the revoking of the licence.

It is recommended that the Kennel Licence and Dog Registration fees be paid simultaneously for your convenience.

CAN THE LICENCE BE TRANSFERRED TO ANOTHER PERSON OR PROPERTY

Licences are not transferable from person to person, nor are they transferable from property to property, therefore if:

- 🐾 You sell your property and the new owner requires a kennel licence, or
- 🐾 You move to another property and wish to retain your licence

a new application will need to be submitted.

COSTS

The Act provides for the payment of the following fixed fees.

Application for Kennel Licence	\$68.00
Public Notification	\$180.00
Renewal of Kennel Licence (<i>payable each year</i>)	\$25.00
Appeal in respect of Kennel Licence or additional Inspections	\$55.00

PENALTIES

The Act states that a person who keeps more than two dogs, (or in the case of working dogs, four dogs) over the age of six months, on any premises not being licensed premises is guilty of an offence, and is liable on summary conviction to a maximum fine of 5 penalty units*.

If the premises remain unlicensed after conviction, the person is guilty of a further offence and is again liable to a maximum fine of 5 penalty units*.

Normally an Authorised Officer would issue an Infringement Notice for unlicensed premises of 1 penalty unit*, before any Court action is initiated. Non-payment of this fine would then involve the above action being taken.

* 1 penalty unit equals \$130.00

Updated June 2011

CHECKLIST

Have you:-

- ☐ Ensured all of the dogs which you intend to keep are currently registered?
- ☐ Appropriate housing for the dogs?
- ☐ Accurately completed the application form including providing your full name, address, day time contact telephone number and an accurate description of the dogs to be kept?
- ☐ Signed and dated the application and paid the appropriate fee?

TASMANIA
Dog Control Act 2000

Kingborough Council

APPLICATION FOR KENNEL LICENCE



TO:
The Compliance Coordinator,
Corporate Governance
Kingborough Council
Civic Offices
KINGSTON

I
of

In the State of Tasmania, hereby apply for a kennel licence for the purpose of keeping at the premises
situated at

.....
dogs of the following breed(s) or kind(s):-

Breed(s) or Kind(s)

No.

I undertake that all the requirements of the Dog Control Act, 2000 and the relevant regulations will be
observed in relation to the keeping of dogs on these premises.

I tender herewith the prescribed fee of \$

Dated the day of 200

Signed:

Privacy Statement

Completion of this form may require the disclosure of personal information. The intended recipients of this information are officers of the Kingborough Council in order to advance the purposes of this form and to carry out Council business. The Personal Information Protection Act 2004 and Council's Privacy Policy regulate the use of this information, which will not be disclosed to any other party, except with your permission or if required or authorised by law. You may make application to access or amend personal information held by Council by contacting the Customer Service Unit on 6211 8200. Should you not provide the information sought, Council will not be able to process this form.

KENNEL LICENCE APPLICATIONS AND RENEWALS

COMPLIANCE OFFICER'S GUIDE AND CHECKLIST

NAME:

ADDRESS:

MAXIMUM NUMBER OF DOGS:

NUMBER OF DOGS (BREEDS, REG. NO.'S):

.....

.....

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1. Kennel or yard at least 9 metres from any dwelling house (commercial kennels only). | ☐ | ☐ |
| 2. Kennel or yard at least 2 metres from any boundary. | ☐ | ☐ |
| 3. Enclosed in such a manner so as to contain any dogs kept in the kennel or yard. | ☐ | ☐ |
| 4. Kennel or yard constructed of suitable material in such a way as to provide effective methods of cleaning and disinfection. | ☐ | ☐ |
| Enclosed by fencing and/or gates which are: | | |
| 1. Constructed with strong and firm building materials and designed so as to reasonably prevent the dog/s from escaping over, through or under the barriers. | | |
| 2. In the case of a dog: | | |
| 5. a) Weighing 8 kilograms or less, is of a height of least 1.2 metres above the surface level of the area enclosed. | ☐ | ☐ |
| b) Weighing more than 8 kilograms is of a height at least 1.8 metres above the surface level of the area enclosed. | | |
| c) May impose a greater height criteria if the dog has proven to be able to escape from enclosure. | | |
| d) Land size to be more than 300sqm to keep more than 2 dogs. | | |
| Implied Consent: | | |
| Fencing is situated on the prescribed premises such that (subject to the legal entitlement of the owner/occupier of the premises to control access to the premises). ie | | |
| 6. uninterrupted access can be gained to: | ☐ | ☐ |
| a) at least one entry to the prescribed premises, | | |
| b) any local activities (HEC meter, water meter, mailbox etc or public purposes developed on the prescribed premises. | | |
| 7. Sufficient room to allow dogs reasonable freedom of movement. | ☐ | ☐ |
| 8. A raised suitable sleeping area. | ☐ | ☐ |
| 9. Adequate ventilation and insulation to maintain a comfortable internal temperature, freedom from condensation and adequate supply of fresh air. | ☐ | ☐ |
| 10. A suitable sanitary method of waste disposal. | ☐ | ☐ |

RECOMMENDED FOR APPROVAL: ☐ Yes ☐ No

Signed: Date:

Kingborough

NOTICE OF INTENTION TO APPLY FOR A KENNEL LICENCE Dog Control Act 2000

Notice is hereby given that the following application has been received for a kennel licence:

Applicant: Mr J Citizen
Premises: 1 Smith Street
SMITHLAND
Nature: 1 x Boxer, 1 x Terrier and
1 x Pug

Any persons residing or owning land within 200 metres of the above premises may object in writing, giving reasons to the General Manager within 14 days after the date of this publication.

Paul West
GENERAL MANAGER

kingborough.tas.gov.au