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KENNEL LICENCE APPLICATION

DOG CONTROL ACT 2000

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 above *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 describes the manner in which Council will process the application. **To enable your application to be dealt with in the shortest possible times please ensure that all relevant information is provided.** Should you require further information or assistance please do not hesitate to contact Council's Municipal Inspector on 03 6269 0000.

WHEN IS A KENNEL LICENCE REQUIRED?

Where a person keeps more than two (2) dogs (or, in the case of working dogs, four dogs) on any property they must apply to the General Manager for a Kennel Licence.

HOW TO APPLY FOR A LICENCE

You must publish a "Notice of Intention to Apply for Kennel Licence" in a daily newspaper circulated throughout the Municipality of Sorell. To comply with this requirement it is suggested that you place your notice in the Public Notices section of the Mercury Newspaper on any day, except Sunday.

The notice must be in the prescribed form (attached).

Keep a copy of the advertisement as you will need this as proof of publication. It is recommended that the entire page of the newspaper on which the advertisement appears be submitted with your application. This will provide proof of the date advertised.

Complete the attached "Application for Kennel Licence". Use the check list on the back of the form to ensure that your application can be processed.

Lodge the application together with the prescribed fee and a copy of the newspaper notice containing proof of the date advertised **within 3 days after publication of the notice.**

WHO MAY OBJECT TO THE GRANTING OF THE LICENCE?

Any person residing or owning land within two hundred (200) metres of the property boundary where the dogs are to be kept may submit a written objection to the General Manager 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?

The owners of adjoining properties will normally be notified of 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.

The application will not be considered until all dogs kept on the property are registered.

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, the General Manager 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.

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 that the licence expires.





Where a licence is refused the applicant will receive written notification.

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



The General Manager may refuse to grant a licence if he is of the opinion that:-

-  The premises are unfit for the purpose of keeping the number and type of dogs applied for;
-  It would be in the public interest not to grant the licence.

Renewal of a licence may be refused if Council 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;
-  It is in the public interest that the licence not be renewed.

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




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

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);
-  Otherwise be instituted in the prescribed manner.

At the hearing of an appeal the magistrate may:-

-  Dismiss the appeal; or
-  Direct the Council to grant or renew the licence; 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 the magistrate;

SPECIFICATIONS FOR THE CONSTRUCTION OF KENNELS AND YARDS

The following specifications are those laid down in the *Dog Control Regulations* as the minimum required for the construction of kennels and yards on licensed premises.

-  The kennel or yard shall be at least 9 metres from any dwelling house;
-  The kennel or yards shall be at least 2 metres from any boundary of the premises on which the yard is constructed;
-  The premises shall be enclosed in such a manner so as to contain any dogs kept in the kennel or yard;
-  The kennel or yards shall be constructed in such a way as to provide effective methods of cleaning and disinfection;
-  There shall be sufficient room to allow dogs reasonable freedom of movement;
-  There shall be a raised suitable sleeping area;
-  Adequate ventilation and insulation shall be provided to maintain a comfortable internal temperature, freedom from condensation, and an adequate supply of fresh air;
-  A sanitary method of disposal of excreta and waste shall be provided.

Where the General Manger is satisfied that adequate provisions for health, welfare and control of the dogs are provided, and that no nuisance to any other person will occur, and all laws relating to public health and environmental protection will be satisfied, Council may issue a kennel.

WILL PLANNING AND BUILDING APPROVAL BE REQUIRED?

Under normal circumstances planning and building approval is not required if the dogs are kept as pets, working or hunting dogs, or for show purposes. However if the total floor area of the kennels exceeds ten (10) square metres the above approvals may be required.

Under the *Sorell Planning Scheme 1993*, Animal Keeping - means any land used for the breeding, boarding or keeping of animals, if the animals are kept in pens, caged or other small enclosures, including the use of premises for a cattery, kennel or stable.

The following zonings are the only areas under the *Sorell Planning Scheme* in which Council will consider an application for a kennel licence.

Low Density Residential B
Low Density Residential C
Village
Rural

Industrial
Forestry
Special Purpose

CONDITIONS

Council may grant a licence which is subject to one or more conditions. Where a licence is granted for the keeping of dogs on premises that do not meet the above mentioned specifications, it can be expected that the licence will be subject to a number of condition.

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



RENEWAL OF LICENCE

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

Licenses may be renewed for a further twelve months upon payment of the prescribed fee and a satisfactory inspection of the premises by a Council Officer.

CAN THE LICENCE BE TRANSFERRED TO ANOTHER PERSON OR PROPERTY?

Licenses are not transferable from one person to another, 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

For the period 20..... financial period fees are as follows:-

Application for Kennel Licence:

For 3 to 5 dogs	\$.....
For more than 5 dogs	\$.....
Renewal of Kennel Licence	\$.....

Apart from the fees, an applicant will need to meet the costs of publishing their intention to apply for a licence.

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.

Normally an Authorised Officer would issue an Infringement Notice for unlicensed premises 1 penalty unit. Non payment of this fine would then involve the above action being taken.

TASMANIA
DOG CONTROL ACT 2000

NOTICE OF INTENTION TO APPLY FOR KENNEL LICENCE

Notice is hereby given that it is my intention to apply to the Sorell Council for a Kennel Licence for:

(1).....

.....

(2).....

.....

Dogs at my premises situated at:

.....

Persons residing or owning land within 200 metres of the above premises may, within 14 days after the publication of this notice, object in writing to the General Manager of the Sorell Council stating their reasons for objection to the granting of the licence.

.....

Signature

(1) Number of Dogs

(2) Breed or Kind of Dogs

Note:

The advertisement may be placed in the Mercury "Public Notices" any day except Sunday, and returned to Council with proof of publication within 3 days of the advertisement appearing in the newspaper.

FORM 12
TASMANIA
DOG CONTROL ACT 2000

APPLICATION FOR KENNEL LICENCE

To: The Registrar of Dogs

I.....Of.....

In the State of Tasmania, hereby apply for a kennel licence for the purpose of keeping at the premises situated atdogs of the following breed(s) or kind(s):-

Breed(s) or Kind(s)

Breed(s) or Kind(s)

Number of Dogs

<u>Breed(s) or Kind(s)</u>	<u>Number of Dogs</u>

A copy of the daily newspaper containing the advertisement as required pursuant to the *Dog Control Act 2000* is attached

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 20.....

Signed:

CHECKLIST

Have you:

- Advertised your intention to apply for a kennel licence?
- Attached a copy of the advertisement with proof of the date advertised?
- Registered the dogs?
- Given your full name?
- Given your full address?
- Given an accurate description of the breed or kinds of dogs to be kept?
- Signed and dated the application?
- Provided a daytime contact telephone number?