

## **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 *Dog Control Act 2000* (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 Act, 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 30<sup>th</sup> 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	\$109.00
Public Notification	\$311.00
Renewal of Kennel Licence ( <i>payable each year</i> )	\$77.00

## **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.

## **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, daytime contact telephone number and an accurate description of the dogs to be kept?
- Signed and dated the application form and paid the appropriate fee?

TASMANIA

Dog Control Act 2000

**Kingborough Council**

**APPLICATION FOR KENNEL LICENCE**

The Manager – Legal & Property  
Kingborough Council  
Civic Centre  
KINGSTON TAS 7050

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)

Number of dogs

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: .....

Contact Number: .....

**Privacy Statement**

The information that the Council is collecting from you is personal information required under the *Personal Information Act 2004*. The intended recipients of the information are officers of the Kingborough Council in order to carry out Council business. Personal information will be used only for the purposes described in the Act, or may be disclosed if authorised by law. The supply of the information by you is not voluntary, if you cannot provide the information sought, Kingborough Council will not be able to process your application. You may make an application to access or amend the information held by the Council by contacting the relevant Council Officer on 03 6211 8200.

## 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](http://kingborough.tas.gov.au)