

DOG CONTROL ACT 2000

KENNEL LICENCE APPLICATIONS

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.

To enable your application to be processed within the shortest possible time, please ensure that all requested information is provided.

If you require additional information or assistance please contact Council's Rangers on 6393 5300.

WHEN IS A KENNEL LICENCE REQUIRED?

If you wish to keep more than two dogs, or four working dogs over the age of six months on any property, you must apply to Council for a Kennel Licence. A working dog is a dog which is used principally for droving or tending livestock.

This may not apply if you have an additional dog being kept at your property for a limited or temporary period of time. Please contact Council for further information.

HOW TO APPLY FOR A LICENCE

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

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

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

Lodge the application together with the prescribed fee and a copy of the newspaper notice 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 200 metres of the property boundary where the dogs are to be kept may submit an objection. The objection is to be in writing to the General Manager, must clearly set out the reasons for the objection, and be submitted to Council within 14 days after publication of the "Notice of Intention to Apply for a Kennel Licence".

HOW WILL COUNCIL PROCESS THE APPLICATION?

Council will consider the application following 28 days from the publication of the "Notice of Intention to Apply for a Kennel Licence".

A Council Officer will inspect the property including all kennels and yards and assess the suitability of the property for the keeping of the proposed number and breed of dogs.

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

HOW WILL COUNCIL REACH A DECISION?

In reaching a decision as to whether to grant a licence, the General Manager will take into account any relevant objections together with the findings from the property inspection.

The General Manager may grant an application for a kennel licence if satisfied that adequate provisions for health, welfare and control of the dogs are provided, that nuisance to any other person is unlikely to occur, and all laws relating to public health and environmental protection are likely to be satisfied.

Once a decision had been made, Council will notify the applicant of the outcome of their application. Where the application is successful, a 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.

An applicant will receive written notification if an application for a licence is refused.

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

The General Manager may refuse to grant a licence if they are of the opinion that:

- the premises are unfit for the purpose of keeping the number and type of dogs applied for; and
- it is in the public interest not to grant the licence.

Renewal of a licence may be refused or a licence may be cancelled if Council is of the opinion that:

- the requirements of the *Dog Control Act 2000* and other relevant Acts are not being complied with;
- the situation or condition of the premises is creating a nuisance; and
- it is in the public interest that the licence not be renewed.

CAN AN APPLICANT OR LICENCE HOLDER APPEAL A COUNCIL DECISION IN RELATION TO A KENNEL LICENCE?

An applicant or holder of a kennel licence may apply to the Magistrates Court for a review of a decision made by Council. An appeal shall:

- be instituted by giving written notice to the Clerk of the Magistrates Court (Administrative Appeals Division) on the Prescribed form;
- be accompanied by the prescribed fee;
- be made within the prescribed time (14 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
- reverse 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.

WILL I NEED PLANNING APPROVAL ?

A planning permit may be required, depending on your location and whether you intend to operate a business, such as boarding kennels. Council's Planning Officers can provide advice on the requirements for your property under the Planning Scheme: contact 6393 5320 or email: planning@mvc.tas.gov.au.

WHAT ABOUT CONSTRUCTION OF KENNELS?

If you are building kennels then it may be necessary to obtain a building permit. A building surveyor will be able to provide further advice on requirements.

CONDITIONS

Council may grant a licence which is subject to conditions. Conditions may relate to the number of and/or breed of dogs that may be kept on the property. Licence holders should be aware that failure to comply with the conditions listed on the licence may result in cancellation or non-renewal of the licence.

RENEWAL OF LICENCE

Kennel licences expire on 30 June each year.

Licences may be renewed for a further 12 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?

Licences are NOT transferable from one person to another, nor are they transferable from property to property. A new application will need to be submitted if you sell your property and the new owner requires a kennel licence, or if you move to another property and wish to retain your licence.

COSTS

For the 2023-24 financial year, fees are as follows:

Application for new Kennel Licence:	\$147.00
Annual Renewal of Kennel Licence:	\$54.00

An applicant is also responsible for the costs associated with the publication of a "Notice of Intention to Apply for a Kennel Licence".

PENALTIES

Penalties apply for keeping more than 2 dogs (or 4 working dogs) over the age of 6 months, without a licence.

EXAMPLE NOTICE TEMPLATE

Notice of Intention to Apply for a Kennel Licence

Notice is hereby given that it is my intention to apply to the Meander Valley Council for a kennel licence for ***(number and breeds of dogs)** at my premises situated at ***(property address)**.

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 Meander Valley Council stating their reasons of objection to the grant of the licence.

***(Applicant's name)**

Note:

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

Application for Kennel Licence

TO:
General Manager
Meander Valley Council
PO Box 102
WESTBURY TAS 7303

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

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 \$147.00.

Dated the.....day of.....20.....

Signed:

Day Contact Number:

Privacy Statement
"The Meander Valley Council is committed to upholding the right to privacy of all individuals who have dealings with the Council. Unless required by law or by a Court or tribunal, the Council will take the necessary steps to ensure that the personal information that members of the public share with us remains confidential. How we use this information is explained in our Privacy Policy, which is available at www.meander.tas.gov.au or at the Council Office."

Please provide the following information to enable Council to assess your application:

Distance between kennel and any dwelling

Distance between kennel and property boundary

Detail of construction material of kennel

Height of fencing and/or gates and details of construction material

Details of sleeping area

Details of ventilation/insulation

How will you be disposing of waste?

Application for Kennel Licence

Checklist

Have you:

- Advertised your intention to apply for a kennel licence?
- Attached a copy of the entire page of the advertisement with proof of the date advertised?
- Made sure all the dogs are currently registered and microchipped?
- Given your full name and 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?
- Paid the prescribed fee of \$147.00?