



33 Goldie Street  
PO Box 348  
SMITHTON TAS 7330  
council@circularhead.tas.gov.au  
(03) 6452 4800  
www.circularhead.tas.gov.au

## LICENCE TO KEEP SEVERAL DOGS APPLICATION *DOG CONTROL ACT 2000*



### ***DOG CONTROL ACT 2000***

## **APPLICATION FOR LICENCE TO KEEP SEVERAL DOGS**

### General Information and Application forms



## **Division 7 - Licences**

### **Sections**

#### **50. KEEPING SEVERAL DOGS**

In accordance with the *Dog Control Act 2000* (the Act); a person, without a licence, must not keep or allow to be kept on any premises:

- (a) More than 2 dogs over the age of 6 months; or
- (b) More than 4 working dogs over the age of 6 months.

*PENALTY – Fine not exceeding 5 penalty points.*

#### **51. APPLICATION FOR LICENCES**

A person may apply to the General Manager of the local Council for a licence.

An application for a licence is to be on the approved form and be accompanied by the appropriate fee.

If there is a right to object or if the General Manager so requires, an applicant, by public notice, must notify:

- (a) The intention to apply for a licence; and
- (b) The address and details of the premises and the number and breed of dogs to which the application relates.

*PENALTY – Fine not exceeding 2 penalty points.*

#### **52. OBJECTIONS TO LICENCE**

Any person residing or owning land within 200 metres of the boundary of the premises to which a Licence relates, may object to the General Manager against the granting of the Licence within 14 days after a notice is published *under section 51(3)* of the Act.

An objection is to be in writing and set out the reasons for the objection.

#### **53. CONSIDERATION OF APPLICATION**

The General Manager is unable to consider an Application for a Licence until 28 days after a notice is published *under section 51* of the Act.

The General Manager is required to take into account any objections received when considering the application.

#### **54. REFUSING APPLICATION**

The General Manager may refuse to grant an application for a licence if of the opinion that:

- (a) The premises to which the licence relates is unfit for the purpose for which they are to be used;  
or
- (b) It is in the public interest that the licence not be issued.

The General Manager is required by the Act to refuse to grant an application for a licence if not satisfied that the requirements of *Section 55 (1)* are likely to be met.



## LICENCE TO KEEP SEVERAL DOGS APPLICATION

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#### **55. GRANTING APPLICATION**

The General Manager may grant an application for a licence if satisfied that:

- (a) Adequate provisions for the health, welfare and adequate control of all dogs on the premises are provided or are likely to be provided; and
- (b) Nuisance to any other persons is unlikely to occur; and
- (c) Requirements under laws relating to public health and environmental protection are likely to be satisfied.

The General Manager is to issue a licence specifying:

- (a) The maximum number of dogs that may be kept on the premises; and
- (b) The breed or kind of dog to which it applies; and
- (c) Any conditions as the General Manager may determine; and
- (d) The expiry date of the licence.

A person must not keep or permit to be kept any dog over the age of 6 months of a breed or kind to which a licence applies otherwise than in accordance with the licence.

A person must not keep more than the maximum number of dogs specified in the licence.

*Penalty – Not exceeding 4 penalty points.*

#### **56. PERIOD OF LICENCE**

Unless it is earlier cancelled, a licence expires on the date specified in the licence.

#### **57. RENEWAL OF LICENCE**

A licence is renewable on payment of the appropriate fee. The General Manager may refuse to renew a licence.

#### **58. CANCELLATION OF LICENCE**

The General Manager may cancel a licence if satisfied that:

- (a) The provisions of the Act or any other relevant Act are not being complied with; or
- (b) Any condition of the licence is not being complied with; or
- (c) The situation or condition of the premises is creating a nuisance; or
- (d) It is in the public interest that the licence be cancelled.

Before cancelling a licence, the General Manager is to:

- (a) Give to the holder of the licence one month's notice in writing to show cause why the licence should not be cancelled; and
- (b) Give consideration to any representations which the holder may make in that respect.



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### 59. APPEALS IN RESPECT OF LICENCE

The Applicant or the holder of a licence may appeal to a magistrate against:

- (a) The refusal of a General Manager to grant an application for a licence; or
- (b) The refusal of a General Manager to renew a licence; or
- (c) The cancellation of a licence; or
- (d) The decision of the General Manager to cancel the licence.

An appeal under this section is to be:

- (a) By notice in writing to the Clerk of Petty Sessions; and
- (b) Accompanied by the prescribed fee; and
- (c) Made within 21 days after notification of the General Manager's decision.

At the hearing of the appeal, the magistrate may:

- (a) Dismiss the appeal; or
- (b) Direct the General Manager to grant the application for the licence; or
- (c) Direct the General Manager to renew the licence; or
- (d) Revoke the cancellation of the licence, subject to any condition the Magistrate thinks fit; or
- (e) Quash the decision of the General Manager to cancel the licence, subject to any condition the Magistrate thinks fit.

A Council is to comply with any directions given by a Magistrate. The decision of a Magistrate on the hearing of an appeal is final.

Any questions can be directed to Council's Infrastructure and Development Services Department by either calling into the Council Offices located at 33 Goldie Street, Smithton or by telephone on (03) 6452 4800.



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### KENNEL LICENCE PROCEDURE

- Step 1.** Register all dogs on the property.
- Step 2.** Please fill in the Licence Application form on Page 7 and return to Council with the applicable fee, currently \$323.
- Step 3.** Please complete form on Page 8 of this application and forward to the Advocate to be placed in the Public Notices section of the newspaper, as shown in the box below.

**Please ensure you advise Council of the date of publication.**

Contact number for the Advocate classifieds department is;

Phone 1300 363 789 Email [classifieds@theadvocate.com.au](mailto:classifieds@theadvocate.com.au)

*Dog Control Act 2000*

Section 51 (3) (a) (b)

#### NOTICE OF INTENTION TO APPLY

#### FOR A LICENCE

Notice is hereby given that it is my intention to apply to the Circular Head Council, for a licence to keep **(number and breed of dogs)** at my premises situated at **(property address)**. Persons residing within 200 metres of the boundary of the above premises may within 14 days after the publication of this notice object in writing to the General Manager of the Circular Head Council stating their reasons of objection to the granting of the licence.

- Step 4.** Once the 14-day objection period has finished, you will be contacted by our Municipal Inspector to arrange a site inspection. Please refer to Page 6, Inspection Notes, for information regarding site requirements. 28 days after a notice has been published Council will consider the licence application. If the application satisfies all criteria, a licence will be issued.
- Step 5.** From then on, a request for a renewal fee (invoice) will be sent out each year.



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### INSPECTION NOTES

The kennel or dog yard area must be positioned so it doesn't cause a nuisance to the neighbours, by such things as noise and odour.

The owners should have a sufficient method for disposal of dog excrement.

Commercial boarding kennels or similar should be set up with a septic tank system. The relatively large amount of waste produced can then be dealt with hygienically.

For backyards where only a few dogs reside a system in which the dog excrement is cleaned up and deposited into a pit is a cheap and easy way to go. A hole is dug into the ground and a plastic rubbish bin or a commercially bought container is placed into the hole. The bin has no base to allow biological activity to break down the waste.

Water can be added to keep the breakdown process going, maybe a layer or grass clippings every now and then. It is important that the bin has a tight-fitting lid to keep out unwanted pests, and keep out the smell.

Any wastewater product and effluent from the kennel area should be prevented from entering a water course or supply.

A trench drain may also be needed to trap wastewater when washing out large kennels etc. A basic trench filled with oversize gravel or blue metal chunks, about 500mm deep and with a gradual slope.

Burning excrement, in small amounts, is another option. Wrap in newspaper and burn in an incinerator.



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## LICENCE TO KEEP SEVERAL DOGS APPLICATION *DOG CONTROL ACT 2000*

### Section 51

#### APPLICATION DETAILS

Surname:

First Name(s):

Postal Address:

Town:

Postcode:

Phone:

Mobile:

Email:

Apply for a licence to keep: *(Specify number and breed of dogs)*

Dogs at my premises at: *(Full address of kennel location)*

#### DECLARATION

Signature:

Name:

Date:

#### Privacy Statement

The personal information on this form is required by Council for administrative purposes. We will only use your personal information for this and related purposes. If this information is not provided, we may not be able to deal with this matter. You may access and/or amend or personal information at any time. How we use this information is explained in our Privacy Policy, which is available at [www.circularhead.tas.gov.au](http://www.circularhead.tas.gov.au) or at the Council office.



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### ADVERTISEMENT

Please complete and forward this form to the Advocate with payment for the advertisement. The Advocate will advise cost upon placement of the advertisement.

### (PUBLIC NOTICES)

### *DOG CONTROL ACT 2000* *SECTION 51 (3) (A) (B)*

### INTENTION TO APPLY FOR A LICENCE

Notice is hereby given that it is my intention to apply to the Circular Head Council, for a licence to keep

\_\_\_\_\_  
(INSERT NUMBER OF DOGS)

\_\_\_\_\_  
(INSERT BREED OF DOGS)

at my premises situated at:

\_\_\_\_\_  
(INSERT PROPERTY ADDRESS)

Persons residing within 200 metres of the boundary of the above premises may within 14 days after the publication of this notice object in writing to the General Manager of the Circular Head Council, stating their reasons of objection to the granting of the licence.

Signed:

\_\_\_\_\_  
(INSERT INITIALS AND SURNAME)