ANIMAL MANAGEMENT

Fact Sheet - Kennel Licence

Glenorchy City Council

Key Requirements

Under the *Dog Control Act 2000*, any person who keeps:

- more than 2 domestic dogs over 6 months of age on a property, or
- 4 working dogs must apply to Council for a Kennel Licence.

If you are unsure whether a Kennel Licence application is likely to be approved, you are encouraged to contact Council to discuss your proposal before proceeding.

Notice of Intention to Apply for a Kennel Licence

If the property proposed for a Kennel Licence is within 200 metres of another private property, the applicant must publish a **Notice of Intention to Apply for a Kennel Licence** in *The Mercury* Newspaper.

Follow the steps below to complete this requirement:

1. Prepare the Advertisement

Complete the advertisement template in this document, indicating your intention to place the advertisement in the Public Notices section of *The Mercury*.

2. Submit the Advertisement

Arrange the publication of your advertisement by:

Email: Scan and email the completed advertisement template to advertising@themercury.com.au

Include your contact details so *The Mercury* can contact you to arrange payment. *The Mercury* may also require the advertisement to be advertised online, and this may incur extra charges.

3. Obtain Proof of Publication

On the date the advertisement is published:

- obtain a physical copy of the newspaper showing the advertisement and date, or
- take a screenshot of the online advertisement that also shows the publication date.

Proof of publication must be included with your application.

Glenorchy City Council

4. Complete and Submit an Application

Complete an Application for a Kennel Licence. Use the checklist in the Application to help you cover all of the necessary steps.

Submit the completed application and proof of advertisement to Glenorchy City Council **within 7 days** of the advertisement date.

Important Information About the Application Process

Rental Properties

If you are leasing or renting a property, you must include with your application, written permission from the property owner confirming that they consent to you keeping a number of dogs that requires a kennel licence.

Your application **cannot be considered** without this permission.

Council understands that Homes Tasmania does not permit tenants to keep more than two dogs. Applications for Kennel Licences are unlikely to be approved in these circumstances.

Property Size Limitations

Glenorchy City Council's Dog Management Policy provides that:

Kennel Licences will not be granted for 5 or more dogs on properties located in a residential zone under the Tasmanian Planning Scheme (Glenorchy).

- Kennel Licences will not be granted for properties smaller than 400 square metres.

Objections to Kennel Licence Applications

A person owning or residing at a property within 200 metres of a proposed property for a Kennel Licence may lodge an objection to a Kennel Licence application.

For an objection to be considered, it must:

- clearly state relevant and factual reasons; and
- relate to relevant matters such as nuisance, amenity, or public interest.

Council may investigate matters raised in an objection before making a decision.

How Council Processes Your Application

Whilst Council acknowledges the social and personal benefits of dog ownership, it must balance the impacts of dogs in increasingly dense urban environments with the amenity of neighbouring residents and the health and wellbeing of the broader community.

Applications will be processed as soon as practicable; however, Council cannot issue a Kennel Licence until 28 days after the date of the advertisement.

As part of the process, an Animal Management Officer will inspect your property. The inspection will include the yard, fencing, dog sleeping areas, kennels, and the dogs themselves.

Once all matters have been considered, Council will notify the applicant **in writing** of the outcome.

If approved, a Kennel Licence will be issued with conditions and an expiry date.

How Council Decides Applications

When deciding an application, Council will consider whether granting a Kennel Licence is reasonable and in the public interest.

Matters that may be considered include, but are not limited to:

- whether the property owner permits the dogs to be kept at the premises,
- whether any objections raise relevant concerns,
- any history of non-compliance with dog control laws,
- whether granting a licence may cause or contribute to offences or nuisances,
- whether the size of the property is suitable for the number and breed of dogs,
- potential impacts on public health, amenity, or odour.

A Licence will not be issued until all dogs on the property are:

- registered and microchipped, and
- otherwise, compliant with the *Dog Control Act 2000*.

Refusal, Renewal or Cancellation of Licences

Council may refuse a Kennel Licence application if it considers that:

- the premises are not suitable for the number and type of dogs proposed, and/or
- granting the licence would not be in the public interest.

Council may refuse to renew a Licence if:

- the requirements of the *Dog Control Act 2000*, other relevant legislation, or the Dog Management Policy are not being complied with,
- the dogs or the condition of the premises have caused or are likely to cause a nuisance, and
- renewal would not be in the public interest.

Council may also cancel a Kennel Licence if satisfied that the *Dog Control Act 2000* is not being complied with, or offences have occurred.

Appeals

Before cancelling an existing Kennel Licence, Council must give the licence holder **one (1) month's written notice** to show cause why the licence should not be cancelled.

The licence holder may make representations to Council during this period.

An applicant or licence holder may appeal a decision to the Tasmanian Civil and Administrative Tribunal (TASCAT) **within 14 days** of receiving notice of the decision.

The Tribunal may:

- dismiss the appeal
- direct Council to grant or renew the licence
- revoke Council's decision to cancel the licence
- impose conditions on the licence

Council must comply with any directions given by the Tribunal.

Kennel and Enclosure Requirements

The following standards generally apply to fixed kennels and enclosures:

- kennels must be at least 9 metres from neighbouring dwellings

- kennels must be at least 1 metre from property boundaries
- the property must be securely fenced to contain dogs
- structures must allow effective cleaning and disinfection
- adequate protection must be provided from weather conditions
- dogs must have sufficient space for movement
- sleeping areas must be weatherproof and raised at least 50 mm above ground
- kennels must provide adequate ventilation and insulation
- appropriate waste disposal arrangements must be provided.

Council may approve a licence where some specifications are not fully met if satisfied that:

- legislative requirements are met,
- adequate provisions exist for dog control and welfare, and
- no nuisance is likely to occur.

Planning or Building Approval

Planning or Building approval is generally not required where dogs are kept as pets and portable kennels or basic sleeping areas are used.

If constructing a kennel or enclosure larger than **10 square metres**, applicants should contact Council's Building and Planning Section for advice.

Conditions

Council may issue a Kennel Licence **subject to conditions**.

Failure to comply with licence conditions may result in:

- cancellation of the licence, or
- refusal to renew the Licence.

Annual Renewal

Kennel Licences expire on 30 June each year.

Council will issue a renewal notice, and the licence holder may renew the licence for a

further 12 months upon payment of the prescribed fee.

Council may also conduct a property inspection prior to renewal.

Transfer of Licences

Kennel Licences cannot be transferred:

- between people, or
- between properties.

A new application is required if:

- the property is sold and the new owner wishes to keep multiple dogs, or
- the licence holder moves to another property.

If a licence expires and is not renewed, a new application and fee will be required.

Penalties

The following offences and penalties may apply under the *Dog Control Act 2000*:

- **Section 50(1)** – keeping more than two dogs (or four working dogs) over six months of age on an unlicensed premises is an offence of one (1) penalty unit.
- **Section 51(3)** – failing to publish a Notice of Intention to Apply for a Kennel Licence is an offence of half (0.5) of 1 penalty unit.
- **Section 55(3) -** keeping a dog of a breed or type not permitted under the conditions of a Kennel Licence is an offence of one (1) penalty unit**.**
- **Section 55(4) -** keeping more dogs on a property than the maximum number permitted under a Kennel Licence is an offence of one (1) penalty unit**.**

Glenorchy City Council

Newspaper Advertisement Template Helper

DOG CONTROL ACT 2000

Section 51 (3)

GLENORCHY CITY COUNCIL

NOTICE OF INTENTION TO APPLY FOR KENNEL LICENCE

Notice is hereby given that it is my intention to apply to Glenorchy City Council for a Kennel Licence to keep _____dogs at

*(address)*_____

_____

_____

Persons residing within 200 metres of the above premises may, within fourteen (14) days after the publication of this notice, object in writing to the General Manager of Glenorchy City Council stating their reasons of objection to the granting of the Licence.

_____

Applicant Signature