DOG CONTROL ACT 2000

APPLICATION FOR KENNEL LICENCE

General Information and Application

Kennel Licences

Any person wanting to keep more than 2 dogs on a property (or four dogs in the case of working dogs) over the age of six months must apply to the General Manager for a Kennel Licence.

The Dog Control Act 2000 (the Act) states:

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.

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. The applicant must advertise, by public notice, their intent to apply for a licence and the address and the number and breed or kind of dogs to which the application relates.

This can be done by completing the attached "Notice of Intention to apply for a Kennel Licence" and submitting to the Mercury Newspaper. There is no requirement for a specified day that the advert must be advertised.

The notice must also call for any objections to the granting of the licence. Persons residing or owning land within 200 metres of the boundary of the premises to which the application relates may object to the granting of a licence.

Once the notice of intention has been advertised, lodge the application together with a copy of the advertisement, and the prescribed fee to Council.

Application for Licences for Farm Properties

Please note that Council will accept one kennel licence application to cover all dogs located on a property / farm.

Objections to Licence

Persons residing or owning land within 200 metres of the boundary of the premises to which the application relates may object to the granting of a licence.

Any objection is to be made within 14 days of the public notice being published. The objection is to be in writing to the General Manager and it is to set out the reasons for the objection.

Consideration of Application

Council is unable to consider an Application for a Kennel Licence until 28 days after the publication of the public notice. Council is required to take into account any objections received when considering the application.

Property Inspection

A property inspection may be carried out to ensure that kennel requirements are complied with and that adequate provisions for the health, welfare and control of the dogs on the premises are provided.

Property inspections will be conducted to ensure that:

- No dogs other than stipulated in the licence are being kept on the property;
- All dogs over 6 months of age on the property are registered;
- Provisions for the health, welfare and control of the dogs is maintained;
- No nuisance to any other person is likely to be caused.

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 more than the maximum number of dogs specified in the licence.

Period of Licence

Licences expire on the 30 June of each year.

Renewal of Licence

A reminder is sent out in conjunction with the dog registration notices. If you wish to renew your licence the prescribed renewal fee is to be made to Council.

Refusing or Cancelling a Licence

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 may cancel a licence if satisfied that:

- Provisions of the Dog Control Act 2000 or other relevant Act are not complied with;
- Conditions of the licence are not complied with;
- The situation or condition of the premises is creating a nuisance;
- It is in the public interest that the licence be cancelled.

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.

Further information

Any questions can be directed to Council's Development and Environmental Services Office by either calling into the Council Office located at 19 Alexander Street, Bothwell or by telephone on (03) 6259 5503.

DISCLAIMER
This information sheet is a guide only. Verification with original local laws, Acts, Planning Schemes, and other relevant documents is recommended for detailed references. The Council accepts no responsibility for errors or omissions.

KENNEL REQUIREMENTS

(Taken from the Central Highlands Council Dog Management Plan)

Village and Surrounding Areas
Holiday Residential and Surround Areas

The following specifications are considered the minimum required for domestic dogs / pets:

- The kennel is to be at least 9 metres from any neighbouring dwelling house, where possible;
- The kennel shall be at least 2 metres from any boundary of the premises, where possible;
- The premises shall be enclosed in such a manner so as to contain any dogs kept in the yard;
- The kennel shall be constructed in such a way as to provide effective methods of cleaning and disinfecting;
- There shall be sufficient room to allow dogs reasonable freedom of movement;
- There shall be a raised (50mm) and weatherproof sleeping area;
- Adequate ventilation and insulation shall be provided to maintain a comfortable internal temperature free from condensation;
- A sanitary method of disposal of excreta and waste shall be provided.

Rural Areas

- The kennel or yard shall be constructed in such a way as to provide effective methods of cleaning and disinfecting;
- The kennel or yard shall be constructed to the approval of the General Manager or his/her delegate.

The above is the minimum requirements for working dogs (more than 4).

Council may issue a kennel licence for the keeping of a specified number of dogs on premises which shall not comply with some or all of the above minimum specifications provided that, the General Manager or his/her delegate is satisfied that adequate provisions for the health, welfare and control of the dogs is provided, and that no nuisance is likely to occur to any other person.

Advertisement for "The Mercury" Newspaper

The applicant must advertise their intention to apply to Council for a Licence in accordance with the Dog Control Act 2000. Complete this form and forward to the Mercury to be published in the Public Notices Section.

After publication attach the advertisement (with date attached) to the Application Form and forward it to Council for processing.

The applicant bears the cost of placing the advertisement in the Mercury.

Notice of Intention to Apply for a Kennel Licence
(Section 53 (3) Dog Control Act 2000)

Notice is hereby given that it is my intention to apply to the Central Highlands Council for a kennel licence for (1) ……. (2) ……
……
…….dogs at my premises situated at
(3) ……
……

Persons residing 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 Central Highlands Council, 19 Alexander Street, Bothwell 7030, stating their reasons of objection to the grant of the licence.

Print Name: ……..……

Signature: ……

(1) Number of dogs
(2) Breed or kind of dogs
(3) Address where dogs are to be kept

Application for a Kennel Licence
(Section 51 Dog Control Act 2000)

I ……

Of ……

hereby apply for a licence to keep (specify number & breed or kind of dogs):

……

……

……

……

Dogs at my premises situated at: ……

……

……

I undertake that all conditions of the licence and regulations of the Dog Control Act 2000 will be adhered to at all times. I understand that if any of the conditions are breached that Council has the authority to cancel the licence at any time.

Dated the …… day of …….. 20……

Signed …….

Date of Newspaper: …….

Application Fee

3-5 Dogs	$20.00
More than 5 Dogs	$30.00
Renewal Fee	$10.00

Affix Newspaper Article Here