

## **Kennel Licence Application Package 2022/2023**

Please take the time to read through the following information as it may answer many commonly asked questions and is designed to assist you in applying for a Kennel Licence.

The *Dog Control Act 2000* (“**the Act**”), and Council’s Dog Management Policy 2022, outlines a process which must be followed by an applicant in lodging an Application for Kennel Licence. The Act also outlines how Council is required to consider and progress an Application.

If you require information or assistance at this stage, please do not hesitate to contact Council’s Senior Animal Management Officer on (03) 6216 6800.

### **When is a Kennel Licence required?**

Under the Act, where a person keeps more than two (2) domestic dogs over six (6) months of age on a property, or four (4) working dogs, the person must apply to Glenorchy City Council for a Kennel Licence.

### **How to Apply for a Kennel Licence?**

Firstly, you must publish a “Notice of Intention to Apply for Kennel Licence” in The Mercury Newspaper. Follow the steps below to complete this requirement:

1. Fill out the advertisement template attached on Page 7 of this document and make it your intention to place the advertisement in the Public Notices section of The Mercury newspaper, and to notify The Mercury newspaper of the date you would like your advertisement published.
2. Then either:
  - a. attend The Mercury Newspaper office in person, which is located at: Level 1, 2 Salamanca Square, Hobart, with the completed advertisement template and your payment, or,
  - b. scan and email the advertisement template to [classifieds@themercury.com.au](mailto:classifieds@themercury.com.au) along with your reply contact details, or,
  - c. lodge the completed advertisement template with a local newsagent and leave your contact details with the newsagent for The Mercury to contact you.

If you choose to publish your advertisement by either steps 2b, or 2c above, The Mercury should contact you to provide you with a quote for the cost of the advertisement.

If you attend The Mercury offices in person to publish your advertisement you can make your payment at that time. You may also be able to pay for the advertisement over the phone with a Debit or Credit Card.

3. On the date that your Intention to Apply for a Kennel Licence is advertised, acquire a physical copy of the newspaper advertisement (with newspaper date also visible), or capture a computer screen image of the advertisement (with newspaper date also visible), to provide with your Application to Council as proof of publication.
4. Complete the Application for Kennel Licence on Page 8. Use the checklist on the Application for Kennel Licence to help you cover all of the necessary steps.
5. Lodge the completed Application for Kennel Licence with Glenorchy City Council and a copy of the newspaper advertisement as outlined above, within seven (7) days of advertisement date. You may lodge these documents with Glenorchy City Council by:
  - a. **Lodge and pay at Council** – attend Glenorchy City Council’s Customer Service Centre at 374 Main Road, Glenorchy between 8.30am and 5.00pm.
  - b. **Email then Pay by Phone** – email the two documents to [gccmail@gcc.tas.gov.au](mailto:gccmail@gcc.tas.gov.au). On the following day, call Glenorchy City Council Council’s Customer Service Centre between 8.30am and 5.00pm on (03) 6216 6800 to make payment.

## Important Information about the Kennel Licence Application Process

### Rental Properties

If either leasing or renting privately, or publicly through Housing Tasmania, you will also need to accompany your Application with a letter from the property owner. The letter needs to grant you permission to have a Kennel Licence for the intention of keeping more than two (2) dogs. Your Application cannot be considered without this supporting documentation.

It is Glenorchy City Council’s understanding that **Housing Tasmania will not give permission for tenants to have more than two dogs at their properties**, therefore Council is unable to approve these Applications.

### Property Size Limitations

Glenorchy City Council’s Dog Management Policy 2022 provides for the following restrictions:-

- Licences will not be granted for five (5) or more dogs in a residential zone of the Tasmanian Planning Scheme (Glenorchy).
- Licences will not be granted in respect of properties where the total property area is less than 400sq metres.

### Who may object to your Kennel Licence Application?

Any person residing within two hundred (200) metres of the premises advertised for the keeping of the dogs may object to an Intention to Apply for Kennel Licence. Generally, for an objection to be considered to hold merit, the reasons for the objection must be clearly set out, relevant, and factual. Council may conduct investigations to validate any objections.

## **How will Glenorchy City Council progress your Application?**

Firstly, Glenorchy City Council views that there is a balance between maintaining control over the numbers of dogs kept in an ever-increasing higher density urban environment. Council considers the reasonable peace and amenity of adjacent neighbours, as well as the general health and wellbeing of dogs.

Glenorchy City Council will progress a Kennel Licence Application as soon as possible. This however, Council is unable to consider issuing any Licence until after twenty-eight (28) of the Intention to apply for Kennel Licence advertisement date.

As part of the Application process, an Animal Management Officer will conduct an inspection of your property, including the yard, the proposed sleeping area for dogs, fencing, kennels and dogs themselves.

Once all has been considered and a decision has been made, Council will notify the Applicant of the outcome of their Application.

If an Application is successful, the Licence will be issued and will contain certain conditions that may apply to the Licence. The Licence will also contain the expiry date.

Where a licence is refused the applicant will receive written notification.

## **How will Council consider and decide on whether to approve your Application?**

Glenorchy City Council will consider a number of legal compliance matters and whether it is reasonable and not against the public interest for a Kennel Licence to be granted.

The specific things that will be considered include, but not limited to:

- are the dogs permitted at the premises by the property's owner?
- are objections of merit, and/or raise concerns of whether a Licence should be granted?
- is there past history of non-compliance that warrants a Licence not to be granted?
- will granting a Licence encourage or contribute to any offences or nuisances?
- is the size of the property reasonable for the size and breed of dogs proposed to be kept, and/or, in the way they are kept?
- are there concerns for the welfare of dogs on the property?
- are there any matters relating to odour nuisances, public health and public amenity?

A Licence will not be issued until all dogs kept on the property are registered and microchipped, and otherwise compliant with the Act.

## **Can Council refuse to approve a Kennel Licence Application or Renewal?**

Under the Act, Glenorchy City Council may refuse to approve a Kennel Licence application if it is of the opinion that:

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

Glenorchy City Council may also refuse the renewal of an existing Licence if Council is of the opinion that:

- the requirements of the *Dog Control Act 2000* and/or other relevant Acts, and the Dog Management Policy 2022 are not being complied with,
- the condition of the premises is creating a nuisance,
- it is in the public interest that the Licence is not renewed.

Glenorchy City Council may progress the cancellation of a Kennel Licence if satisfied that the Act is not being complied with.

### **What if Council refuses to grant, renew, or intends to cancel a Kennel Licence?**

Before cancelling an existing Kennel Licence, Glenorchy City Council is to give one (1) months' notice in writing to the Licence holder to show cause why a Kennel Licence should not be cancelled. Glenorchy City Council is to consider any representations which the Licence holder may make in that respect.

The Applicant of a new Kennel Licence or the holder of an existing Kennel Licence may apply to the Magistrates Court (Administrative Appeals Division) within fourteen (14) days after being notified of a refusal, cancellation, or decision to cancel a Kennel Licence.

At a court hearing of an appeal, the Magistrate may:

- dismiss the appeal, or,
- direct the General Manager to grant or renew the Licence, and,
- revoke the Council's decision to cancel the Licence, subject to any conditions the Court thinks fit, and,
- Council must comply with any directions given to it by the Court

### **Yards and Kennels**

Generally, this section is not applicable to Applicants who intend to provide portable standalone dog kennels as shelter for dogs with regard to applying for a Kennel Licence.

If a kennel is being constructed to allow for larger fixed dog housing, in addition to any requirements under the Tasmanian Planning Scheme - Glenorchy (as amended), the following specifications are considered as minimum requirements for the construction of kennels (or retro-fitted sheds) on Licensed premises, - these requirements also apply on premises where a Kennel Licence is not held:

- the kennel or enclosure is to be at least nine (9) metres from any neighbouring dwelling,
- the kennel or enclosure must be at least one (1) metre from any property boundary,
- the premises must be secured effectively so as to contain any dogs on the property,
- the kennel or enclosure must be constructed in such a way as to provide effective methods of cleaning and disinfection,
- the kennel or enclosure must be constructed or situated in a manner that ensures the health and welfare of dogs in respect of adverse weather conditions,

- there must be sufficient room to allow reasonable freedom of movement for all dogs,
- there must be a raised off the ground (50mm minimum) weatherproof sleeping area for dogs,
- adequate ventilation and insulation must be provided to maintain a comfortable internal temperature, free from condensation and adverse heat, and
- a sanitary method of disposal of dog waste **must** be provided.

Council may issue a Kennel Licence for the keeping of a specified number of dogs on a premise which does not meet with some or all of the above minimum specifications, provided that, the General Manager or delegate is satisfied that:

- legislative requirements are being met,
- 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 in any other premise.

### **Will planning and building approval be required?**

Maybe...

Under normal circumstances, Planning and Building approval is not required if the dogs are kept as pets and portable Kennels or basic sleeping areas are provided.

If an Applicant is thinking of building an enclosure that is larger than ten (10) square metres, you will be asked through the application process if you have contacted Council's Building and Planning section for advice.

Special attention should be given to the following regarding the construction of fixed Kennels.

- a) a building of solid construction must not be built within 4.5 metres to a designated road frontage.
- b) any part of the building must not encroach within any service easement, and within two (2) metres of sewerage pipes, and one (1) metre of stormwater pipes.

As indicated, it is recommended that you contact Council's Building and Planning section for advice.

### **Conditions**

Glenorchy City 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 does not meet all of the considerations, it is to be expected that a Licence will be subject to a number of conditions that must be complied with.

Licence holders should be aware that a failure to comply with the conditions listed on the Licence might result in the cancellation or non-renewal of the Licence.

### **Annual Renewal of Kennel Licences**

Kennel Licences expire on the 30th day of June each year and Kennel Licence Renewal forms will be distributed each year by Council.

Licences may be renewed for a further twelve months upon payment of the prescribed fee, and where required, a satisfactory inspection of the premises by an Animal Management Officer.

### **Can a Kennel 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 a new application will need to be submitted 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,

If a person does not renew a Licence when and as required, and the Licence becomes expired, a new application and fee will need to be submitted to reinstate a Kennel Licence to the property.

### **Cost of Kennel Licence**

Glenorchy City Council has set the following fees for financial year 2022/2023.

Application for Kennel Licence: \$106.00

Renewal of Kennel Licence: \$66.00

An Applicant will need to pay the Application for Kennel Licence fee, as well as costs of publishing the Intention to Apply for a Kennel Licence advertisement in The Mercury newspaper.

### **Penalties**

Section 50(1) of the *Dog Control Act 2000* outlines 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 unlicensed premises is subject to an offence of five (5) penalty units.

Section 51(3) of *Dog Control Act 2000* outlines that if a person fails to publish a Notice of Intention to Apply for a Kennel Licence in the newspaper, the person is subject to an offence of two (2) penalty units.

***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**

**APPLICATION FOR KENNEL LICENCE**

**TO:** The General Manager, Glenorchy City Council

I (name): \_\_\_\_\_

of (address): \_\_\_\_\_

Contact Phone Numbers: \_\_\_\_\_ Email: \_\_\_\_\_

in the State of Tasmania, hereby apply for Kennel Licence type:

- KL1 – up to 5 domestic dogs**
 **KL2 – More than 5 domestic dogs**  
 **KLG1 – up to 5 Greyhounds**
 **KLG2 – More than 5 Greyhounds**

to keep at the premises situated at (premises) \_\_\_\_\_

dogs of the following breed/s:

BREED	DISC NUMBER	MICROCHIP NUMBER

I undertake that all the requirements of the *Dog Control Act 2000* and Council’s Dog Management Policy 2022 will be complied with in relation to the keeping of dogs on these premises.

- I tender herewith the prescribed fee of
- \$106.00** - KL1 and KL2 Application fee
  - \$365.00** - KLG1 Application fee
  - \$530.00** - KLG2 Application fee

**DATED:** \_\_\_\_ / \_\_\_\_ / 20\_\_\_\_

**SIGNED:** \_\_\_\_\_

**PAYMENT RECEIPT No:** \_\_\_\_\_

**Personal Information Protection Statement**

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

**Checklist**

- If required, attached a letter from your landlord?  Advertised in The Mercury newspaper?
- Attached a copy of the advertisement page with date visible?
- Provided an accurate description of the dogs to be kept, and microchip numbers?