

- Objectives:** People
- Outcome:** 1.3 - A safe place to live.
- Strategy:** 1.3.1 - Comply with relevant local and state laws, in the interests of the community.

## Purpose

To provide guidance to Council, staff and the public on the circumstances under which between three (3) and six (6) dogs may be kept on a property.

To promote animal welfare and the responsible ownership of dogs.

To ensure the amenity and safety of the neighbourhood is protected.

## Definitions

Not applicable

## Policy

An owner or occupier of land within the Shire shall not be allowed to keep more than two (2) dogs over the age of three (3) months on a property, without the prior written approval of the Council.

The keeping of more than 6 dogs, or the keeping of dogs for commercial purposes requires development approval as a Kennel Establishment by the Council.

## Considerations

The following criteria applies for residents seeking approval to keep more than two (2) registered dogs and six (6) dogs or less in the Shire:

- a) Application for an approval to keep between three (3) and six (6) shall be submitted in writing on the prescribed forms.
- b) The applicant shall submit plans showing the specifications and location of fencing and yards in relation to the boundaries and dwellings and proximity to the adjoining properties.
- c) All dogs are to be registered with the Shire.
- d) The existence of a dwelling on the premises, and requires the applicant to be the occupier of the premises.
- e) Applications to keep more than 2 dogs on cottage lots are unlikely to be considered.



- f) The area where the dogs are confined must have sufficient area for the dogs to use, play and have adequate shelter and must conform with the relevant provisions of Animal Welfare statutes and standards.
- g) The fencing must be of sufficient strength, configuration and height to confine the dogs within the property boundaries and not allow dogs to dig under or climb/jump over.
- h) Gates must meet the same criteria as the fencing when secured and should also be lockable.
- i) Sterilisation is recommended on all dogs and will improve likelihood of application being approved.
- j) All dogs subject of an application are required to be microchipped.
- k) No substantiated written objections or complaints from occupiers of adjoining premises.
- l) That the owners and dogs subject of the application have had no previous convictions relating to serious *Dog Act 1976* or *Animal Welfare Act 2005* as amended convictions.
- m) Written consent from the landowner or managing agent.
- n) The reasons for which the approval is required.
- o) Applications relating to the introduction of Restricted Breed, or Declared Dangerous Dogs will not be considered.

### Standard Conditions

In approving the application to keep 3-6 dogs the following standard conditions will detail:

- a) the person or persons to whom the permit has been issued;
- b) the address to which the permit applies;
- c) maximum number of dogs to be kept on the property;
- d) that all dogs subject to the permit are required to be microchipped;
- e) applicants should be encouraged to desex all dogs subject of the application;
- f) that the Shire is advised in writing within 14 days if a dog dies or is relocated;
- g) that noise from barking or howling does not create a nuisance to neighbours;
- h) that faecal waste is not permitted to accumulate or create offensive odours;



- i) that all faecal waste be disposed of in a sanitary manner;
- j) that all dogs be confined to the property unless under controlled supervision;
- k) that a new permit be applied for if the owners relocate with the dogs to a new address;
- l) the permit applies to the permit holder(s) and not the property. New residents/tenants must obtain a permit should they move onto the property with more than two dogs;
- m) no dogs subject to an approval can be replaced without the written consent of the Council;
- n) that it is the permit holder's responsibility to ensure they hold a valid permit;
- o) that Shire Officers reserve the right to inspect the property at any time;
- p) a date by which all conditions on the permit must be complied with;
- q) compliance with the provisions of the *Dog Act 1976*, *Dog Regulations 2013* and the *Animal Welfare Act 2005* as amended;
- r) that the approval can be reviewed or cancelled by the Council for any significant breach of the *Dog Act 1976*, *Dog Regulations 2013* or the *Animal Welfare Act 2005* as amended.

### Supplementary Conditions or Considerations:

Council may also apply extra conditions which may include:

- a) the types and breeds of dogs to be kept in relation to the available space for dogs within the premises;
- b) restrictions on access to certain areas within the premises subject of the application; ie, areas adjoining walkways, access ways, footpaths, bridle paths or other high usage areas likely to effect the general community or welfare of the dogs;
- c) the use of electrified fences or containment systems;
- d) any other conditions of matters considered relevant by Council or officers.

**References**

<b>Name of Policy</b>	4.5.2 The Keeping of Three to Six Dogs
<b>Previous Policy</b>	G013 – The Keeping of Three to Six Dogs (E15/5096)
<b>Date of Adoption and Resolution Number</b>	Adopted      OCM187/09/15      29/09/2015      Ordinary Council Meeting
<b>Review dates and Resolution Numbers</b>	Modified      OCM179/12/17      18/12/2017      Ordinary Council Meeting
<b>Next review date</b>	
<b>Related documents</b>	<p><b>Acts/Regulations</b>  <i>Local Government Act 1995</i>  <i>Dog Act 1976</i>  <i>Dog Regulations 2013</i>  <i>Animal Welfare Act 2005 as amended</i></p> <p><b>Plans/Strategies</b>  Strategic Community Plan 2017 - 2027</p> <p><b>Policies</b>  Shire's Keeping of Dogs Local Law</p> <p><b>References</b>  Nil</p> <p><b>Delegations</b>  P007S – Appointment of Authorised Persons and Registration Officers under the Dog Act and Local Law</p> <p><b>Work Procedures</b>  Nil</p>

Note: changes to references may be made without the need to take the Policy to Council for review.