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8.00am - 4.00pm MON - FRI

## Request to Keep More Than 2 Dogs Application

This form is to be used when the applicant wishes apply, renew or update a permit for keeping more than the prescribed number of dogs the circumstances prescribed in *dogs local law 2003 – sect 3.2(2)(a)*

### 1. APPLICATION TYPE

New Application     New Application     Change of Information

### 2. APPLICANT / RESPONSIBLE PERSON DETAILS

Full Name			
If Company, Contact Name			
Residential Address			
Postal Address			
Telephone	Home	Mobile	
Email			

### 3. LOCATION / DETAILS OF THE ACTIVITY

Street Address/es (or relevant area)	<input type="checkbox"/> As Above
Lot on Plan Description	<input type="checkbox"/> Owner <input type="checkbox"/> Occupier (Owners Consent Required)
What Is Your Relationship To The Premises	<input type="checkbox"/> Owner <input type="checkbox"/> Occupier (Owners Consent Required)
Details of the Prescribed Activity	The keeping of the animal indicated below, in the circumstance prescribed in <i>dogs local law 2003 – sect 3.2(2)(a)</i> of this Application Form. <input type="checkbox"/> 3 dogs <input type="checkbox"/> 4 dogs

#### 4. APPROVAL OF ADJOINING NEIGHBOURS / PROPERTY OWNER

**This application will not be accepted without the consent of ALL adjoining neighbours. If there are more than 3 adjoining neighbours, please attach a separate page.**

ADJOINING NEIGHBOUR 1	Full Name	
	Telephone Number	
	Address	
	Approval/Refusal	<input type="checkbox"/> I consent <input type="checkbox"/> I object to the undertaking of the prescribed activity mentioned above, being undertaken on land of which I am an adjoining occupier. I understand that for verification purposes, Council may contact me regarding this application.  Signature: .....
ADJOINING NEIGHBOUR 2	Full Name	
	Telephone Number	
	Address	
	Approval/Refusal	<input type="checkbox"/> I consent <input type="checkbox"/> I object to the undertaking of the prescribed activity mentioned above, being undertaken on land of which I am an adjoining occupier. I understand that for verification purposes, Council may contact me regarding this application.  Signature: .....
ADJOINING NEIGHBOUR 3	Full Name	
	Telephone Number	
	Address	
	Approval/Refusal	<input type="checkbox"/> I consent <input type="checkbox"/> I object to the undertaking of the prescribed activity mentioned above, being undertaken on land of which I am an adjoining occupier. I understand that for verification purposes, Council may contact me regarding this application.  Signature: .....
APPROVAL OF PROPERTY OWNER (This section is required if the applicant is NOT the property owner)	Full Name	
	Telephone Number	
	Address	
	Approval/Refusal	<input type="checkbox"/> I consent <input type="checkbox"/> I object to the undertaking of the prescribed activity mentioned above, being undertaken on land of which I am an adjoining occupier. I understand that for verification purposes, Council may contact me regarding this application.  Signature: .....

**5. DECLARATION**

I apply for an approval under *dogs local law 2003 – sect 3.2(2)(a)* and declare:-

1. that the particulars provided above are correct in every detail;
2. I have read *dogs local law 2003 – sect 3.2(2)(a)* and understand the requirements and obligations associated with same; and,
3. **I understand that payment of the required fees is not tantamount to approval.**

In event that my application is refused, the registration fee component only will be refunded.

Applicant Signature		Date	
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**6. OFFICE USE ONLY**

Fees Paid	Dog Registration: \$	Application: \$	
Date Received		Receipt Number	
Comments			
Assessing Officer Name and Position			
Application Approved	<input type="checkbox"/> Yes <input type="checkbox"/> No	Officers Signature	

**ADVICE TO APPLICANT:**

1. If the applicant and/or owner are aggrieved by this decision, as a result of a condition of approval or by a determination of refusal, you may have a right of review through the State Administrative Tribunal in accordance with *Section 26(5) Dog Act 1976*.
2. An application under *Section 26(5) Dog Act 1976* cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision in accordance with *Section 26(6) Dog Act 1976*.
3. Where, under *Section 26(1)(a) or (b) Dog Act 1976* “*Limitation as to numbers*”, a limit is imposed on the number of dogs that can be kept in or at any premises situate in a local government’s district area, and a person proposes to keep more than that number of dogs in or at premises in that area that are not exempt from the limitation, the person must apply for the premises in question to be licensed as an approved kennel establishment.
4. **This approval is valid for the listed dogs only.** It is the responsibility of the applicant to apply for another permit if the conditions change. Once approved this permit only expires when the listed dogs move or leave the listed residence.
5. Please note, the Local government can revoke or vary the approval at any time as per *Section 26(3)(c) Dog Act 1976*.

# SCHEDULE 1

## Documents and materials that must accompany an application for an approval

\*Attach separate pages as necessary\*

Dog 1 Details	Breed											
	Sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female	Desexed	<input type="checkbox"/> Yes	<input type="checkbox"/> No						
	Colour											
	Any Other Distinguishing Marks											
	Does the Dog have a Permanent Identification Number (PID) / Microchip?	<input type="checkbox"/> Yes <input type="checkbox"/> No		Permanent Identification Number (PID) / Microchip Number								
	Is The Dog Registered?	<input type="checkbox"/> Yes <input type="checkbox"/> No		Tag Number								
Dog 2 Details	Breed											
	Sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female	Desexed	<input type="checkbox"/> Yes	<input type="checkbox"/> No						
	Colour											
	Any Other Distinguishing Marks											
	Does the Dog have a Permanent Identification Number (PID) / Microchip?	<input type="checkbox"/> Yes <input type="checkbox"/> No		Permanent Identification Number (PID) / Microchip Number								
	Is The Dog Registered?	<input type="checkbox"/> Yes <input type="checkbox"/> No		Tag Number								
Dog 3 Details	Breed											
	Sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female	Desexed	<input type="checkbox"/> Yes	<input type="checkbox"/> No						
	Colour											
	Any Other Distinguishing Marks											
	Does the Dog have a Permanent Identification Number (PID) / Microchip?	<input type="checkbox"/> Yes <input type="checkbox"/> No		Permanent Identification Number (PID) / Microchip Number								
	Is The Dog Registered?	<input type="checkbox"/> Yes <input type="checkbox"/> No		Tag Number								
What Is The Nature Of The Premises Where The Dogs Will Be Kept?	<input type="checkbox"/> Residential <input type="checkbox"/> Rural <input type="checkbox"/> Other, provide details:											
	Is the premises fully fenced? <input type="checkbox"/> Yes <input type="checkbox"/> No											

What Are The Materials The Enclosure Is Constructed And Any Other Details Of The Enclosure									
For All Multi - Residential Premises	<p><b>If the application refers to a multi-residential premises and the keeper of an animal is entitled to make use of an area used in common with others (a <i>common area</i>) – the written permission of the person or body which manages or controls the common area consenting to the use of same is required.</b></p> <table border="1"> <tr> <td data-bbox="400 488 608 544">Name</td> <td data-bbox="608 488 1519 544"></td> </tr> <tr> <td data-bbox="400 544 608 600">Telephone</td> <td data-bbox="608 544 1519 600"></td> </tr> <tr> <td data-bbox="400 600 608 656">Address</td> <td data-bbox="608 600 1519 656"></td> </tr> <tr> <td data-bbox="400 656 608 987">Approval / Refusal</td> <td data-bbox="608 656 1519 987"> <input type="checkbox"/> I consent  <input type="checkbox"/> I object            To the undertaking of the prescribed activity mentioned above, being undertaken on the <b><i>common area</i></b> of land of which I am the person or body which manages same. I understand that for verification purposes, Shire may contact me regarding this application.             Signature: .....         </td> </tr> </table>	Name		Telephone		Address		Approval / Refusal	<input type="checkbox"/> I consent <input type="checkbox"/> I object To the undertaking of the prescribed activity mentioned above, being undertaken on the <b><i>common area</i></b> of land of which I am the person or body which manages same. I understand that for verification purposes, Shire may contact me regarding this application.  Signature: .....
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<p><b>Photos of the enclosure/ yard the dogs will be kept in must be provided</b></p>									
Have you attached photos of the enclosure in which the animal/s will be kept	<input type="checkbox"/> Yes <input type="checkbox"/> No								

## **SCHEDULE 2**

### Requirement for Approval to Keep an Animal

*dogs local law 2003 – sect 3.2(2)(a)*

#### **DOGS LOCAL LAW 2003 – SECT 3.2(2) (a)**

##### **3.1 Dogs to be confined**

- (1) An occupier of premises on which a dog is kept must –
- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
  - (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
  - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;
  - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
  - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) Where an occupier fails to comply with subclause (1), he or she commits an offence. Penalty: Where the dog kept is a dangerous dog, \$2,000; otherwise \$1,000.

##### **3.2 Limitation on the number of dogs**

- (2) *The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act -*
- (a) *2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a town site; or*
  - (b) *4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside a town site.*

## SCHEDULE 3

### Additional criteria for the granting of an approval

1. Whether the premises on which the dogs are to be kept is appropriately sized so that the dogs can be effectively and comfortably kept on the premises.
2. Whether a residence exists on the premises.
3. Whether the applicant for the approval or some other suitable person to supervise the dogs will be resident on the premises on which the dogs are to be kept.
4. Whether the dogs will be properly supervised.
5. Whether the dogs identified in the application are registered with the Shire.
6. Whether the applicant is a suitable person to hold the approval.
7. Whether the grant of the approval for the prescribed activity on the premises is likely to –
  - a. cause an unreasonable nuisance, inconvenience or annoyance to occupiers of adjoining land; or
  - b. have a material adverse affect on the amenity of the surrounding area; or
8. Whether the dogs have been fitted with an approved microchip.
9. If the application relates to the keeping of dogs on multi-residential premises
  - a. whether the applicant is entitled to make use of a common area; and
  - b. whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals.
  - c. whether the applicant has the written permission of the person or body which manages or controls the common area to sue the common area, or a part of the common area, for the purpose of keeping the animal or animals.
10. Where the dogs are to be kept on premises other than multi-residential premises and the applicant is not the owner of the premises – whether the applicant has the written permission of the owner of the premises to keep the dogs on the premises.
11. Whether the applicant has been refused a similar type of approval by the shire or another local government.

## SCHEDULE 4

### Conditions that will ordinarily be imposed on an approval

1. The conditions that will ordinarily be imposed on an approval to keep dogs on premises are —
  - a. a condition requiring that the approval holder take all reasonable steps to prevent the dogs from causing a nuisance or disturbance to the occupiers of other premises; and
  - b. a condition requiring that the approval holder ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises; and
  - c. a condition requiring that the approval holder ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept
  - d. in a waste container of a kind approved by an authorised person; and
  - e. a condition requiring that the approval holder ensure that any enclosure in which the dogs are kept is maintained in —
    - i. a clean and sanitary condition and disinfected regularly; and
    - ii. an aesthetically acceptable condition; and a condition limiting the approval to the dogs identified in the approval.