

## Council Policy – The Keeping of Three to Six Dogs

<b>Responsible Directorate</b>	Development Services
<b>Responsible Business Unit/s</b>	Community Safety
<b>Responsible Officer</b>	Manager Health, Building and Community Safety
<b>Affected Business Units</b>	Community Safety Statutory Planning

### Objective

The objective of this Policy is 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.
- Promote animal welfare and the responsible ownership of dogs.
- Ensure the amenity and safety of the neighbourhood is protected.

### Scope

This Policy applies to an owner or occupier of land within the Shire wishing to keep between three to six dogs.

### 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.

### 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 2002* convictions.
- (m) Written consent from the landowner or managing agent.
- (n) The reasons for which the approval is required.
- (o) Applications relating to dangerous dog 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 2002*;

- (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 2002* 2

### **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.

### **Definitions**

**Dangerous Dog** has the same meaning as the *Dog Act 1976*.

### **Related Documents**

- Council Plan 2023 – 2033

### **Legislation / Local Law Requirements**

- *Local Government Act 1995*
- *Dog Act 1976*
- *Dog Regulations 2013*
- *Shire of Serpentine Jarrahdale Dogs Local Law 2023*
- *Animal Welfare Act 2002*

## Amendment Record

<b>Relevant Delegations</b>		5.1.3 – Authorise Registration Officers 2.5 – Authorise Registration Officers	
		<b>Date</b>	<b>Resolution Number</b>
<b>Council Adoption</b>		<b>29 September 2015</b>	OCM187/09/15
<b>Version</b>	<b>Date</b>	<b>Resolution Number</b>	<b>Amendment Details</b>
2	18 December 2017	OCM179/12/17	
3	17 March 2025	OCM068/03/25	Formatted to new policy template. Updated references to legislation.