

CP.60 Multiple Dog

<i>Responsible Department</i>	Development and Community Services
<i>Resolution Number</i>	C.4892
<i>Resolution Date</i>	15/11/2023
<i>Next Scheduled Review</i>	2025
<i>Related Shire Documents</i>	<i>Shire of Northam Dogs Amendment Local Law 2018;cl 3.2(1)(b)</i>
<i>Related Legislation</i>	<i>Dog Act 1976 s26(3)</i>

OBJECTIVE

To maintain a balance between preservation of lifestyle and a sense of community and population growth and accompanying development by providing quality regulatory services.

SCOPE

To ensure alignment with the Shire of Northam Dogs Amendment Local Law 2018, section 3.2(2) which grants an exemption under section 26(4) of the Dog Act 1976.

As stated in the Shire of Northam Dogs Amendment Local Law 2018 3.2(2), the limit of the number of dogs which may be kept on the premises are:

- Within a townsite – 2 dogs over the age of 3 months and the young of those dogs under that age.
- Outside of a townsite on a property less than 40 hectares – 2 dogs over the age of 3 months and the young of those dogs under that age or;
- Outside of a townsite on a property greater than 40 hectares – 4 dogs over the age of 3 months and the young of those dogs under that age.

The terms 'additional dogs' and 'multiple dogs' refers to the number of dogs that exceeds the prescribed limits as determined by the Shire of Northam Dogs Amendment Local Law 2018.

Townsite is an area identified by Landgate under the Land Administration Act 1997.

POLICY

1. Application Procedure

Residents wishing to obtain approval to keep more than 2 dogs are to follow this procedure prior to obtaining the additional dog(s):

1. Complete and submit to the Shire of Northam an “Application for a 3-6 Dog Permit (Not a Kennel)” form;
2. Write an explanation for the purpose of the request of an additional dog(s) that aligns to the “Exceptional Circumstances’ of this Policy;
3. Enclose the additional dog application fee (with is nonrefundable) and is prescribed in the Shire of Northam’s Fees and Charges; and
4. Ensure that all existing dogs that are ordinarily kept at the subject property are registered.

Only once a resident has received approval for the Shire of Northam (either by Council or under delegated authority), may they then obtain the additional dog(s) in line with the conditions outlined on their approval. A resident wishing to obtain retrospective approval may incur additional fees as per the Shire of Northam’s Fees and Charges. Non-compliance of the application, Authorised Officers have the power to seize and detain the additional dogs as per the Dog Act 1976 S29(4A).

2. Assessment Procedure

In assessing an application for additional dogs the following procedures will be undertaken by an Authorised Officer (Ranger):

1. Notify all adjoining and adjacent neighbouring landowners of the boundary of the subject property in writing for the opportunity to make comment to support or object to the application within a period of 14 days from the date of the letter.
2. Arrange and conduct a site inspection of the property and undertake an animal welfare assessment of any existing dogs and a fencing assessment as per the criteria set out in the Shire of Northam Dogs Amendment Local Law 2018 3.1 (1).
3. Review dog owner’s history and complete a report upon closure of the 14 days period for part (1) and completion of part (2) and (3). The Authorised Officer will refer their report and recommendation for review of the Executive Manager Development Services.

3. Exceptional Circumstances

The following circumstances are considered sufficient reason for the Shire of Northam to consider approval of additional dogs:

1. To replace an elderly dog or sick dog not expected to live, that is already registered to the subject property;
2. A family emergency resulting in the dog being inherited.
3. Merging of two households to the maximum amount of dogs allowed;
4. Where the applicants have approval to keep the subject additional dog or dogs in another local government area; or

5. In premises over the 40 hectare requirement, the dog or dogs are required for stock management or to be on the premises temporarily for the purposes of training for stock management.

The above are the only circumstances which Council will consider multiple dog applications, with each application to be assessed on its merits.

4. Conditions of Approval

Should an application for additional dogs be approved, the following conditions will be imposed on an approval granted:

1. The approval is valid only for the nominated dogs listed within the application form and should any of the dogs die, be sold, go missing or be given away, it cannot be replaced prior to obtaining another Shire approval.
2. All dogs approved to be kept on the subject premises, must hold and maintain valid registrations and be micro-chipped.
3. If at any time these requirements have been breached, an Authorised Officer may terminate the application, and may direct that the registration of the additional dog(s) be cancelled, and the dog(s) be removed from the premises within seven (7) days. At any time following approval, authorised Council officers can inspect the subject property to check fencing, number of dogs and registration details.
4. Compliance with the requirements of the *Dog Act 1976*, Regulations and any Local Law of the Shire of Northam.
5. 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;

Additional conditions can be imposed on any approval granted, as the Shire deems necessary.