
Three Dog Policy

CONTROL:

Policy Type:	Community
Authorised by:	Council
Head of Power:	Animal Management (Cats and Dogs) Act 2008
Responsible Officer:	Chief Executive Officer
Responsibilities:	
Adopted / Approved:	18 July 2023; Resolution 2023/159
Last Reviewed:	June 2023
Review:	June 2027 Note: This Policy is reviewed when the related information is amended or replaced. Notwithstanding the above, this Policy is to be reviewed at intervals of no more than four years.

1. INTRODUCTION

1.1 PURPOSE:

The Purpose of this Policy is to provide a criteria in conjunction with the Local Law No. 2 (Animal Management) 2019, to ensure Council apply a consistent decision making process to all Three Dog Applications.

1.2 POLICY OBJECTIVES:

The objectives of this Policy are to:

1. To ensure a merit based process to allow consistent and transparent decision making for Council in relation to Three Dog Applications, in conjunction with the Local Law No. 2 (Animal Management) 2019.
2. Ensure owners of dogs in the Bulloo Shire area comply with the requirements of the Animal Management (Cats and Dogs) Act 2008.
3. To contribute to improved responsible animal ownership by the Community.

1.3 COMMENCEMENT OF POLICY:

This Policy will commence on adoption. It replaces all other specific Third Dog policies of Council (whether written or not).

1.4 SCOPE:

This policy applies to all Three Dog applications with the aim to meet the legislative requirements of Council with regards to the Animal Management (Cats and Dogs) Act 2008 and Local Law No. 2 (Animal Management) 2019.

2. POLICY

2.1 CONTEXT:

Bulloo Shire Council recognizes that dog ownership is a lifestyle choice of a significant proportion of the community, and is committed to ensure that a harmonious relationship between dog owners and non-dog owners is maintained, and that there are appropriate guidelines to ensure the quality of life for all residents, and for the dogs themselves.

2.2 POLICY STATEMENT:

The Council will assess each Three Dog application in line with this policy and in conjunction with the existing Local Law No. 2 (Animal Management) 2019 and No. 1.5 (Keeping of Animals) 2019, the Animal Management (Cats and Dogs) Act 2008 and any other applicable laws and acts.

3. STANDARDS AND PROCEDURES

3.1 KEY PRINCIPLES

- 3.1.1** Every application must meet as the minimum standard, the Animal Management (Cats and Dogs) Act 2008 and Council's Local Laws.
- 3.1.2** A permit to keep three dogs on premises may be granted where the premises and the applicant comply with the following criteria, in conjunction with the existing Subordinate Local Law No. 2 (Animal Management) 2019 and Subordinate Local Law No 1.5 (Keeping of Animals) 2019:
 - 1. Dog enclosure meets the requirements set in the Local Law.
 - 2. Written consent has been obtained from the owners or occupiers of the neighbouring allotments.
 - 3. Written consent has been obtained from the owner of rental premises.
 - 4. A person must reside in the dwelling on the block on which the dogs are to be kept.
 - 5. History of substantiated complaints, infringements and previous Three Dog applications.
 - 6. Has the owner had previous dogs destroyed?
 - 7. Council's Authorised Officer has undertaken an inspection of the premises.

All application will be considered by Council, whom reserve the right to deny any applications.

3.2 APPLICATIONS

- 3.2.1** Council limits the number of dogs as per Subordinate Local Law No.2 (Animal Management) 2019, on all premises to overcome any nuisance that may arise, including noise or odour.
- 3.2.2** Residents wanting to keep more than two dogs must seek written approval of Council prior to allowing the extra dog on the property.
- a. Application is to be made by submitting to Council the required Application forms.
 - i. BSC Local Law Application Form
 - ii. BSC SLL No. 1.5 (Keeping of Animals) 2019 - 3 Dog Permit Application Form
 - b. Applicants must complete all sections of the Application forms.
 - c. Each application will be assessed on owner merit and circumstances.
- 3.2.3** Applications for Three Dog Permits shall be considered subject to Three Dog Policy in conjunction with the existing Subordinate Local Law No.2 (Animal Management) 2019 and Subordinate Local Law No. 1.5 (Keeping of Animals) 2019.

3.3 GRANTING A THREE DOG PERMIT

- 3.3.1** A permit to keep three dogs on premises may be granted where the premises and the applicant comply with the criteria/requirements as per Section 3 and 4 of the Subordinate Local Law No. 1.5 (Keeping of Animals) 2019, in conjunction with the Three Dog Criteria guidelines.
- 3.3.2** The assessment of the application will be a merit based. Any results will be communicated back to the applicants in writing.
- 3.3.3** Permits are not transferrable from one person to another. If the animal is sold or given away, the animal must be registered by the new owner provided that the animal can be kept without a permit. In the event that a permit is required by the new owner, the registration may only be transferred following the new owner obtaining of a permit.

3.4 REFUSAL TO GRANT THREE DOG PERMIT

- 3.4.1** Council reserve the right to deny any applications that they believe do not satisfy the criteria or requirements.
- Where a permit is refused the applicant will receive written notification.

3.5 CANCELLING A THREE DOG PERMIT

3.5.1 A permit may be cancelled at any time if Council is satisfied that:

- a. The conditions of the permit are not being complied with; or
- b. The premises do not comply with the minimum standards as per the Local Law; or
- c. The owner has failed to remedy a compliance notice

3.5.2 Should Council cancel the permit, Council must give the owner written notification as per section 18 of the Local Law No 1. (Administration) 2019 to remove the animal.

3.6 CONDITIONS OF PERMIT

3.6.1 Conditions of permit to keep three (3) dogs is as per section 6 of Subordinate Local Law No. 1.5 (Keeping of Animals) 2019.

3.7 FEES AND CHARGES

3.7.1 Fees are as per Council's Fees and Charges. The schedule of fees will be set annually and will be in line with the financial year (i.e. 1 July to 30 June).

3.8 COMPLAINTS

3.8.1 The Council recognises the right of community members to seek assistance in dealing with nuisances created by dogs. This is best achieved by open communication between Council Officers, the complainant, and the dog owner/s.

3.8.2 All complaints will be entered into the Animal Complaints-Incident Register.

3.9 ACTS AND REGULATIONS

3.9.1 The dog owner comply with the relevant requirements of:

- The Animal Management (Cats and Dogs) Act 2008
- Council Local Laws

and Regulations made thereunder, and shall be liable for any breach of such Acts, Local Laws or Regulations. Dog owners must comply with all other statutory rules, provisions and regulations of the Commonwealth of Australia or State of Queensland for the time being in force and any directions given by Council officers.

4. REFERENCE AND SUPPORTING INFORMATION

4.1 DEFINITIONS:

To assist in interpretation, the following definitions shall apply:

Word / Term	Definition
Council	means Bulloo Shire Council.
Premises	includes land whether or not buildings or structures are erected on the land.
Authorised Person	means – <ul style="list-style-type: none"> a. the Chief Executive Officer; and b. a person authorised by Council to exercise the powers of an authorised person under the Local Law and the Act.
Area	means the area of the Shire of Bulloo

4.2 RELATED POLICIES, LEGISLATION AND DOCUMENTS:

Links to supporting documentation
<i>The Animal Management (Cats and Dogs) Act 2008</i>
Local Law No. 1 (Administration) 2019
Subordinate Local Law No. 1.5 (Keeping of Animals) 2019
Local Law No. 2 (Animal Management) 2019
Subordinate Local Law No. 2 (Animal Management) 2019
<i>Local Government Act 2009</i>
Employee Code of Conduct
BSC Local Law Application Form
BSC Local Law Checklist for Applications
BSC SLL No. 1.5 (Keeping of Animals) 2019 - 3 Dog Permit Application Form