



# Shire of Denmark

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Shire Of Denmark	
<del>ICR14</del>	
IAPP148411	
08 AUG 2014	
OFFICE USE ONLY	
EPR	Assessment No: <u>A3304</u>
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	<input checked="" type="checkbox"/>
OTHER RANGER	<input checked="" type="checkbox"/>

## Application to Keep More Than 2 Dogs Dog Act 1976 Section 26 Exemption

I (Name) Sandra Jane Plater  
 OF (Address) 18 Harington Breake  
 PHONE No (H) [REDACTED] (WK) [REDACTED] (M) [REDACTED]  
 EMAIL: [REDACTED]

Hereby make application for an exemption to be granted by the Shire of Denmark as provided in Section 26 of the Dog Act 1976 (as amended) in order to permit me to keep the dogs referred to herein at the premises described in the application.

### Description of premises.

PROPERTY ADDRESS: 18 Harington Breake Denmark

ZONING: GRV Residential AREA (HECTARES): 1 3/4 acres

DESCRIPTION OF FENCING: dog mesh with large wooden gates at entry points

How long have you resided at the above premises? 16 years

Are you the owner of the premises? yes

If you are not the owner of the premises as stated above, please attach written approval from the owner or authorised agent, to keep thereon the dogs the subject of this application.

**Description of the Dogs:**

Dog's Name	Breed	Age	Sex Male /Female	Sterilised Y/N	Registration Number
Sam	cocker spaniel	14	male	yes	0140087
Toby	golden retriever	9	male	yes	0160336
Charles	shitzu/maltese poodle	7 months	male	yes	0160337
Alphie	"	"	male	yes	0160338
Bonnie	"	"	female	yes	0160317

Explanation of why you wish to keep more than two dogs on your property: \_\_\_\_\_

All our pets are rescue animals. The three youngest dogs were going to be utilised. They are very small breed dogs (the size of a cat). Our eldest dog Sam, is very ill and old and we doubt he will be with us for much longer.

The three youngest were from the same litter + we didn't want to separate them.

How do you intend to manage your dogs if you leave your property at extended periods of time?

We have never gone away for extended periods of time as we run a business. If we go away my daughter and her partner live with us and they look after the dogs. My parents have them at their house on the rare occasion we all go away.

Have you ever been issued with a penalty under the Dog Act 1976 with the respect to the keeping of any of these dogs? (If so, please list details) no

Do you intend breeding these dogs on the property? absolutely not

As part of the application process, I am aware that a Council Ranger will undertake an inspection of my property to ensure the information provided meets Council's Policy requirements.

I agree that the Shire of Denmark may at any time withdraw or amend the terms of any exemption which may at any time be granted with respect to Section 26 of the Dog Act 1976 (as amended).

I hereby declare that the information stated above is correct.

Signed: J. Plater

This seven day of August year 2014

**From:** [Sandi Plater](#)  
**To:** [Denmark Shire Enquiries](#)  
**Subject:** ICR15332235 - Ref: OCR15231672 Mr Dale Stewart  
**Date:** Sunday, 15 March 2015 12:03:34 PM

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Mr Stewart

I am writing with regards to my application to keep more than 2 dogs on my premises at 18 Harington Break, Denmark.

I initially applied to keep 5 dogs on the property, but in waiting for a reply to my application, one of my elderly dogs passed away, so I am only requiring permission to keep 4 dogs. One old golden retriever and 3 small and gentle shitsu/ maltese x.

In your response to my application, you mentioned that "There had been complaints of barking in the past".

Our neighbour did approach as about 18 months ago about our elderly dog barking at night. We informed him that due to the fact that he was quite blind and confused, we acknowledged that he did tend to bark at night because he was frightened. To remedy this, we put the old dog up on the balcony at night with the company of our golden retriever and this stopped the night barking. As I mentioned, this dog has since passed and would probably explain the complaint of barking, being in the past.

Coinciding with this time, we had 3 small puppies that had been ill treated and were destined to be put down, come into our care. We immediately had them vet checked and vaccinated. They were obviously not old enough to be sterilised, but we had them done as soon as they reached the required age to do so.

There was also an issue with being able to use barking prevention collars on the small dogs until they reached a certain weight. As soon as this weight was achieved we purchased barking prevention collars to insure that they were not causing any disruption to anyone neighbours. I also work from home and know that they are not barking during the day. I take the collars off if they are inside with me and this may result in them barking if someone comes to my door. If I have to go out for any period of time, I put them inside in the laundry.

We had the puppies micro chipped and when they were three months old we registered them with the Denmark Shire Council. We spoke to the Denmark Rangers and were given a check list of requirements that needed to be met. These were to make sure my property was securely fenced and gated to prevent them getting off of the property and limit any barking and make sure the dogs were micro chipped and registered with the Shire.. Charmaine came back and inspected my property and was satisfied that all the Shire requirements to keep my dogs responsibly, had been met.

The primary reason you gave for refusing my application is that "In your opinion the area of the property is insufficient to keep the number of dogs and the location being zoned rural compounds this unsuitability"

Our property may be zoned residential with the new zoning structures in the Shire,

however my property is approximately 1 & 3/4 acres. It also has an easement on our side boundary of the property that can not be built on and common land, which consists of unusable swamp land on our front boundary that has a vast distance of land before it hits anyone's else's boundary. Therefore we have 1 adjoining property that could be effected by us having our dogs but the owners seem to have no problem with our them.

With regards to the size of my property being insufficient to keep the number of dogs, I have sought the opinion of people who have knowledge on this subject and been told by our family vet, that due to the small size of the dogs and the unusually large size of our residential property, the area is well and truly sufficient to keep these dogs, especially now that we only have the 4 dogs on the property.

I would like to bring up the point that it is acceptable to the Denmark Shire that someone living on a 800sqm property, can keep 2 dogs of ANY size. Wether they be a huge breed of dog makes no difference, it is still completely acceptable to you. I am asking to keep 3 very small, gentle breed dogs and a larger dog on a property far exceeding the acceptable 800sqm to keep 2 dogs. All I am asking is that after becoming deeply attached to these beautiful little dogs, outlaying the huge cost to vet check, vaccinate, micro chip, register, sterilize, put dog mesh around the massive perimeter of my property, installing 2 sets of large double gates, purchasing bark control collars and complying with all requirements that were then met and inspected by the Shire Ranger, you would be understanding enough to allow us to have two small breed dogs over the limit of what is acceptable on a very small residential block.

These dogs are a very much loved, cared for and adored part of our family. My children and I have been deeply distressed by the thought that we would have to choose between them. The thought of having to do this is utterly unbearable to us. They are part of our family. I believe we have done everything in our power to accommodate a positive response to our application and I do not believe that the reason you gave to reject my application is adequate or indeed accurate. The Dog act of 1976 gives a local government the power to approve up to 6 dogs on a property. I implore you to allow us to keep our 4 family pets.

At this stage, I will ask that you please reconsider my application on the basis that it is for 4 dogs now, not five, we have complied with all the requirements that were set before us by the Shire, my dogs cause no harm or disturbance to anyone and quite frankly, I have no idea how I am ever going to be able to deal with losing them, let alone explaining this to my children.

I am hopeful of some happy news

Kind Regards  
Sandi Plater



Dr Shey Rogers  
21 Station Street  
Young Siding WA 6330

Mrs Sandi Platter  
18 Harrington Break  
Denmark WA 6330

Dear Sandi,

This letter is to certify the death of Sam a 15yr old male Golden Cocker Spaniel.

It is also a letter to confirm the number of dogs you currently own, which is four, the largest is a golden retriever and the other three are poodle crosses. All of the dogs are sterilised and microchipped under shire regulations.

Having been to your home for consults I agree that the housing you provide is acceptable and that the 1 and 3/4 acres that you reside on is ample room for all of the dogs. At no time that I have visited did I feel the care and husbandry provided inadequate.

If any more information is required please do not hesitate to ask.

Sincerely

Dr Shey Rogers  
B Sc. B.V.M.S