

City of Palmerston

# Animal Management By-Laws

# Information Paper



# Introduction

City of Palmerston is committed to providing quality animal management services to our community. A set of By-Laws governs the way we manage animals in our municipality and a review has been determined necessary to provide contemporary By-Laws to meet the needs of the Palmerston community.

In 2021 City of Palmerston went out for consultation to see how the community felt about amending the By-Laws to reflect more modern approaches to Animal Management.

City of Palmerston understands the importance of having contemporary By-Laws that are valued by the community. The feedback that was received throughout the 2021 consultation, has been used to create the new Animal Management By-Laws.

This information booklet provides key changes to the By-Laws, and what this means for you as they come into play from 1 July 2024.

If you would like to provide feedback on the changes to By-Laws or ask any further questions you can do so via the following options, until 12 February 2024.



Scan the QR code and click on the survey link

Email [admin@associatedadvertising.com.au](mailto:admin@associatedadvertising.com.au)

Call Associated Advertising & Promotions on 8942 3388

# Background

City of Palmerston has been steadily enhancing its animal management capabilities within the organisation, introducing various service initiatives such as the construction of a new dog pound and the implementation of proactive, community-based programs such as Ranger led dog walks, free microchipping and discounted desexing. These programs garnered positive feedback from our community and are highly attended when publicised.

With the municipality experiencing a surge in population, there is an expectation that pet ownership will also see growth.

The knock-on effect of increased pet ownership, coincides with an uptick in community reported animal management concerns, including issues relating to roaming dogs, barking or other noise complaints and dog attacks/menaces. Additionally, there has been an increase

in complaints about other animals, including cats, birds, and poultry, encompassing concerns such as noise complaints (roosters and birds), damage to local fauna (cats), excessive pet ownership, and associated nuisance smells.

In light of these evolving circumstances and in our commitment to public health, safety, and community amenity, it was imperative that we took action. The new By-Laws will enable us to continue delivering effective animal management services tailored to the evolving needs of the community.



# What is a By-Law?

A municipal By-Law is a local law that Councils use to address community needs. City of Palmerston, like other municipal Councils in the Northern Territory, has authority to create By-Laws from the Local Government Act 2019 (NT).

City of Palmerston has established By-Laws covering areas like public places, signs, hoardings, and animal management.

Creating new Animal Management By-Laws involves specific legal steps, which City of Palmerston has followed as indicated in the below timeline.

The entire process of preparing and enacting By-Laws can be lengthy, typically taking 18-24 months, including community consultation, drafting, publication, and enactment.

The Council is dedicated to making this process as efficient as possible through collaboration with the community.

## Palmerston (Animal Management) By-Laws

The Palmerston (Animal Management) By-Laws have controlled and regulated animals within the municipality since they were first enacted in 1999.

While reasonably fit for purpose, the By-Laws face a number of challenges including:

- They do not address animal management issues relating to cats, poultry or other animals
- They do not allow for the declaration of dangerous dogs after an identified and established dog attack or dog menace
- Existing infringements may not be an adequate deterrent as penalties have not increased in more than 20 years and are no longer comparable to other jurisdictions.

Initial community consultation in 2021 supported a change to the current By-Laws and indicated support for the following:

- The introduction of a range of new penalties for dog attacks
- The ability to declare a dog dangerous and add conditions to its registration
- The introduction of cat management
- Compulsory microchipping for dogs and cats
- The extension of animals at large offences to include cats
- Compulsory animal education attendance for nuisance barking



# What are the key By-Law changes?

To achieve contemporary By-Law standards which allow for effective application of regulatory services, Council is undertaking the following changes to the current By-Laws;

## 1. New penalties and infringements

A significant change in financial penalties and infringements will be introduced as at 1 July 2024 which may affect some animal owners. Please visit [palmerston.nt.gov.au/by-law-review](http://palmerston.nt.gov.au/by-law-review) for the full details.

## 2. Increased penalties for dog attacks

City of Palmerston has zero tolerance for dog attacks, and will be implementing a significant 'sliding scale of fines' based on the severity of attacks. Fines will start from \$800. Extra conditions will also be placed on the registration of a dangerous dog.

## 3. Reporting of nuisance animals

The By-Laws have included provisions for reports relating to other nuisance animals such as cats, domestic livestock and poultry. This means separate policies will be created specific to these animals which will provide regulations around responsible ownership.

## 4. Licences for multiple animals

The new By-Laws allow City of Palmerston to set policies regarding the number of dogs and cats allowed per property before a licence needs to be obtained.

## 5. Compulsory microchipping

The new By-Laws include compulsory microchipping of both dogs and cats as part of the registration process.

## 6. Introduction of cats to the By-Laws

The By-Laws will introduce regulations around cat ownership. The regulations will provide rules relating to cats at large, impounding, and licensing.

## 7. Owning domestic livestock and other animals

The regulation of domestic livestock ownership has been included within the By-Laws. These By-Laws will only seek to restrict ownership to specific zoned areas within Palmerston. The By-Law will not include the requirement of registering these animals, however limitation on numbers may apply.

## 8. Poultry

Management of poultry has been included within the By-Laws. Council may establish conditions on the ownership of poultry in the future.

# Will By-Laws affect everyone?

Council By-Laws are created for the community to help regulate animal ownership. The By-Laws aim to provide strong protection for the community to be able to live in a safe environment.

The new By-Laws include some significant changes which will most likely affect those that do own animals. For the majority, responsible animal ownership will continue as normal with minimal difference.

There will be an extensive internal review of processes, with the implementation of policies required throughout the introduction of the new Animal Management By-Laws. These policies will cover a number of animals permitted per household, licensing requirements, appropriate animal restraints, property inspections, report handling and many more. Council may consider a staged approach to allow the community to adjust to the new regulations.



# New penalties and infringements

The new By-Laws have undergone a significant review of prescribed penalties in relation to offenses.

## Current situation

Council's current By-Laws provide that maximum penalty amount currently refers to an offence against a person where on a finding of guilt; 'a penalty of \$3000 or not exceeding \$100 for each day during which the offence continues after the first day on which the offence was committed'.

Existing infringements may not be an adequate deterrent as penalties have not increased in more than 20 years and are no longer comparable to other jurisdictions.

## By-Law changes

Council's new By-Laws adopt the penalty unit regime established under the Penalty Units Act 2009 (NT).

Penalty units are used to define the amount payable for fines for offences. New financial penalties are between 1 - 100 penalty units, depending on the offence.

For a full break-down of financial penalties in Council's new By-Laws, please visit: [palmerston.nt.gov.au/by-law-review](http://palmerston.nt.gov.au/by-law-review)

# Increased penalties for dog attacks

It is the responsibility of pet owners to ensure their dog does not bite or act aggressively towards other people or animals. Dog attacks can be frightening for all involved (including owners) and may result in serious injury to people and can be fatal for animals.

Dog attacks within the City of Palmerston municipality have increased in previous years. Different jurisdictions in Australia apply various penalties when a dog attack occurs depending on its severity.

## Current situation

Council's current By-Laws do not allow for the declaration of 'dangerous dogs' after an identified and established dog attack or dog menace. There is no prescribed penalty for a 'serious dog attack' and an 'aggravated offence'.

## By-Law changes

Council's new By-Laws provide consideration of regulating dog attacks and menacing behaviours and further provide for the declaration of dangerous dogs. They provide for a sliding scale of fines for different levels of dog attacks. They apply for conditional registration of declared dangerous dogs, allowing for Council to develop policies and be somewhat flexible around the conditions that could/should be attached to registration of declared dangerous dogs in the circumstances that prevail.

## What this means:

'Sliding fine scales' will be used for dog attacks to reflect the severity of the incident, including:

- Dog attack on a person or animal: from a minimum of \$880 to a maximum of \$10,560;
- Serious dog attack on a person or animal: from a minimum of \$1,232 to a maximum of \$14,080;
- Aggravated offence: from a minimum of \$1,584 to a maximum of \$17,600.

Note: The payable fine amount will depend on the classification and severity of the attack.



# Reporting of nuisance animals

While barking dogs are the most common problem in terms of complaints received, other animals such as birds and poultry can also cause a noise nuisance. Animal nuisance may also extend to offensive odours or behaviour.

## Current situation

Council's current By-Laws only address noise issues due to dogs. Resident feedback suggests this category of nuisance could be extended to cover noises from other animals that occurs or continues to such a degree or extent that it has a disturbing effect on the state of reasonable mental, physical or social well-being of a person. Examples include a neighbour's pet bird persistently screeching or a cat persistently fighting or meowing.

## By-Law changes

Council's new By-Laws include consideration of other nuisance animals as part of a more general By-Law. This By-Law includes any dog, cat, or domestic livestock (including poultry) allowed under the new By-Laws. Council is aware that expanding into this regulatory area would require increased resourcing, which may result in an increase to rates.

## What this means:

*The owner of a dog, cat or domestic livestock must ensure that the animal is not a nuisance to people or other animals, through behaviour such as:*

- *Behaving repeatedly in a manner contrary to the general interest of the community or specific interests of another person;*
- *Creating a noise or an odour to a degree or extent that disturbs the reasonable mental, physical or social well-being of a person other than its owner;*
- *Defecating to a degree or extent that causes annoyance to a person other than its owner.*





## Licences for multiple animals

For the safety of the household and their animals, to ensure positive animal ownership, limitations on the number of animals that can be kept at a property will be introduced.

### Current situation

Under our existing By-Laws, people that wish to keep more than two dogs, but no more than six, must apply to Council for a licence. After receiving an application, Council then works with the applicant to assess the ability of the owner to look after the dogs.

There is currently no limit how many cats can be kept at a premise.

### By-Law changes

The new By-Laws allow Council to set policies regarding the number of dogs and cats allowed per property before a licence needs to be obtained.

### What this means:

*Council can establish limits and conditions on the maximum number of dogs or cats that may be kept on premises in Palmerston, taking into consideration the suitability of the premises and impact on neighbours. Council will continue to allow two dogs per property without a licence.*

*A licence for multiple animals that was granted or renewed at the commencement of the new By-Laws (1 July 2024), will remain valid for the duration or conditions of that licence.*

## Compulsory microchipping

Animal microchipping for identification purposes is strongly encouraged for all dog owners. A microchip is a permanent method of electronic identification. The chip itself is very small (about the size of a grain of rice) and is implanted under the skin between the shoulder blades at the back of an animal's neck. Each chip has a unique number that is detected using a microchip scanner.

### Current situation

There is currently a 10% discount on annual registration costs for dogs that have been microchipped, however it is not a compulsory requirement for registering your dog.

### By-Law changes

Council's new By-Laws provide for compulsory microchipping of both dogs and cats as part of the registration process.

### What this means:

*Council aims to make these changes as simple as possible for residents to uphold, through continuing various service initiatives such as community-based programs including Ranger led dog walks, free microchipping and discounted desexing where possible.*

## Introduction of cats to the By-Laws

Cat ownership is valued at the same level as dog ownership, therefore it is important to implement up-to-date regulations for cats. This will assist with controlling cat numbers and help protect wildlife in the local area.

### Current situation

Registration of pets currently only applies to dogs in the City of Palmerston municipality.

### By-Law changes

Council's new draft By-Laws outline that registration, microchipping, impounding and licensing requirements be applied to cats, as well as offence provisions for both dogs and cats 'at large'.

### What this means:

*Compulsory cat registration and microchipping will be implemented. Limits and conditions that are currently only applied to dogs will be applied to cats, including licensing requirements on the maximum number of cats allowed per property.*

*Cats 'at large' means the cat is outside the premises where it is kept and not under effective control.*



# Owning domestic livestock and other animals

Keeping domestic livestock and other animals as pets can be a rewarding experience, providing companionship and sometimes even practical benefits.

## Current situation

Council's current By-Laws do not cover the management of domestic livestock.

## By-Law changes

Council's new By-Laws provide that domestic livestock must not be kept on a lot that has less than one hectare of land available.

### What this means:

*New restrictions will be placed on domestic livestock including horses, oxen, buffaloes, bovines, camels, goats and pigs.*

*Domestic livestock must not be kept in Palmerston on a lot that has less than one hectare of available land.*

*Penalty infringements may be imposed if domestic livestock is kept outside permitted areas.*

# Poultry

There are a wide range of benefits that poultry provide.

## Current situation

Council's current By-Laws do not manage poultry.

## By-Law changes

Management of poultry has been included in the new By-Laws.

### What this means:

*New restrictions on poultry will not be implemented as soon as the new By-Laws come into effect, however the By-Laws allow Council to manage; including establishing conditions and or a total number of poultry that may be owned in the future.*

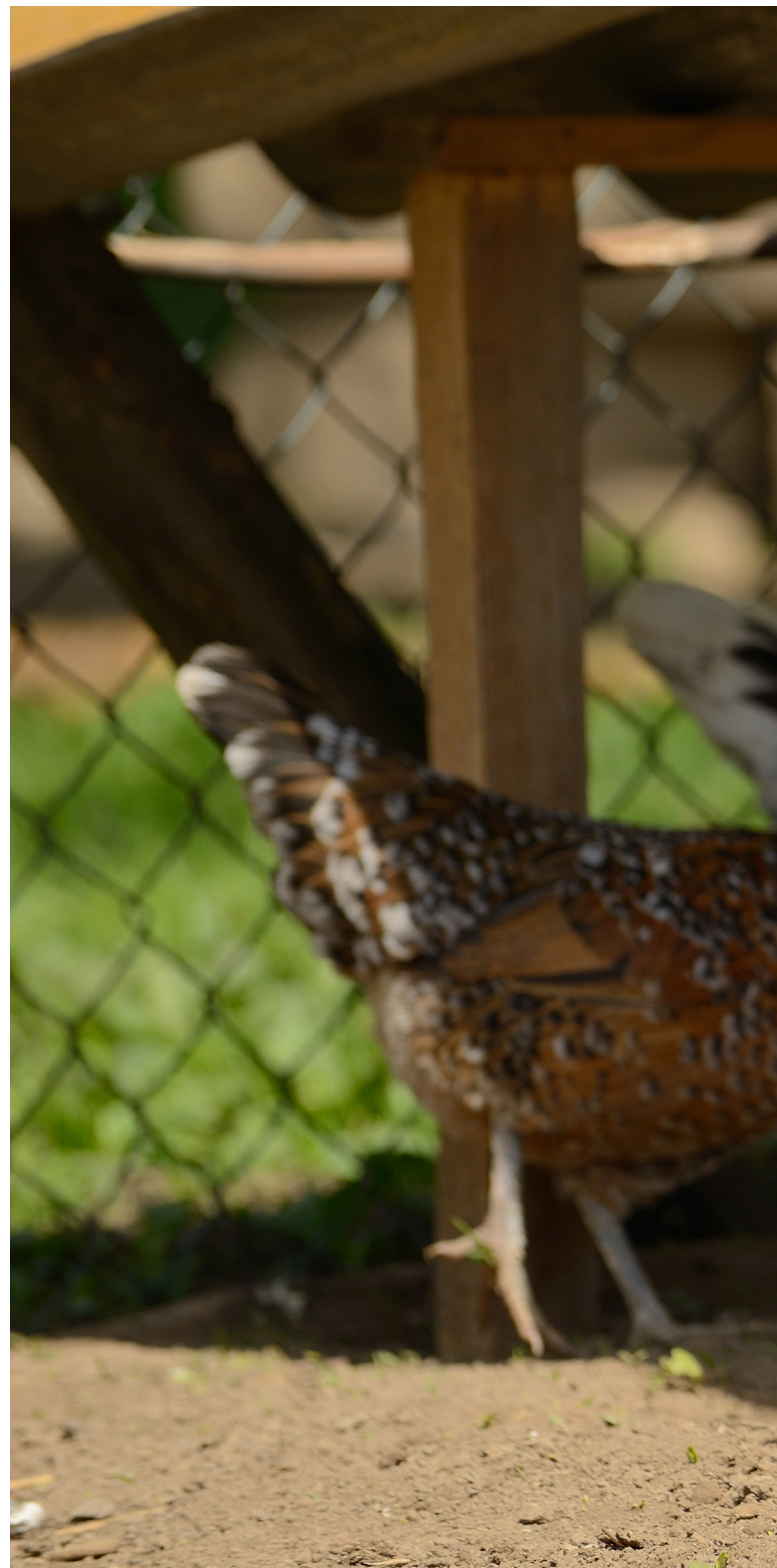
# What happens now?

The new Animal Management By-Laws will be out for discussion until 12 February 2024.

All feedback and questions can be sent through to Associated Advertising & Promotions.

Community collaboration is important to help us deliver up-to-date policies and programs to help support the community through the introduction of the new By-Laws.

City of Palmerston's new Animal Management By-Laws will begin from 1 July 2024.





For any feedback on Animal Management  
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