

ANIMAL MANAGEMENT LICENCE AND REGISTRATION

COUNCIL POLICY

PURPOSE

The purpose of this policy is to provide direction and guidance in relation to the application and enforcement of City of Palmerston (Animal Management) By-Laws 2024. The Policy aims to establish an effective, fair, practical, and consistent approach to Animal Management by balancing education, awareness, community expectations and safety, and responsible pet ownership.

PRINCIPLES

This policy applies to the City of Palmerston Local Government Area including but not limited to roads, public places and parks, open spaces, and privately owned areas.

The principles on which this Animal Management Policy is based include:

- Ensuring City of Palmerston meets its obligations under the *City of Palmerston (Animal Management) By-Laws 2024*;
- Balancing necessary regulatory approaches with community education and expectations;
- Providing relevant and accurate information to the Palmerston community to support and encourage responsible pet ownership;
- Creating awareness within the Palmerston community to ensure compliance with the provisions of the *City of Palmerston (Animal Management) By-Laws 2024*; and
- Fostering positive working relationships and maintaining constructive communication with individuals and organisations who have expertise in animal management.

DEFINITIONS

For the purposes of this Policy, the following definitions apply:

| TERM | DEFINITION |
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| Assistance Animals | Section 4A of the NT Anti-Discrimination Act 1992, assistance animals are animals trained or accredited to assist, in a public place, a person with a disability in relation to the disability. |

| TERM | DEFINITION |
|-----------------------------------|--|
| Authorised Officer | A person authorised by City of Palmerston pursuant to Part 9.7 of the <i>Local Government Act 2019</i> . |
| At Large | A dog or cat which is not under effective control and outside of the area it is usually kept. |
| City | Local Government Council constituted for the Municipality of Palmerston. |
| City of Palmerston approved 'tag' | A tag issued by the City of Palmerston sighting proof of registration information of a dog or cat for the current period. |
| Infringement Notice | Notice given of an offence against the <i>City of Palmerston (Animal Management) By-Laws 2024</i> . |
| Infringement Notice Offence | An offence against a provision specified in Schedule 2, <i>City of Palmerston (Animal Management) By-Laws 2024</i> |
| Microchip | Nationally approved, subcutaneous, transponder implant that stores identification information in relation to the animal. |
| Owner | The registered owner; the person in control or possession of the animal; the occupier of the premises where the animal is kept. |
| PIC | Property Identification Code, Northern Territory Livestock Regulations 2009. |
| Pound | A place established by the City that holds impounded animals. |
| Properly Contained | Contain an animal by keeping the animal inside a building, enclosed run, or other structure on the premises from which the animal is unable to escape. |
| City of Palmerston Approved Tag | A tag issued by the City of Palmerston sighting proof of registration information of a dog or cat for the current period. |

POLICY STATEMENT

1. Dog and Cat Registration and Licencing

- 1.1. Animal registration assists in identifying dogs and cats and their owners to ensure their safe return home when lost. Registration also provides data to inform future planning of resources and programs.
- 1.2. Owners who fail to register or renew their dog or cat registration commit an offence pursuant to By-Law 8 of the (Animal Management) By-Laws.

2. Identification

- 2.1. Pursuant to By-Law 9 (1) of the (Animal Management) By-Laws, unless otherwise exempt by City of Palmerston, registered dogs and cats must:
 - 2.1.1. Be implanted with a microchip.

- 2.1.2. Wear a City of Palmerston approved identification tag when outside the premises they are usually kept.

3. Registration

- 3.1. Dogs and cats over three (3) months of age, or that have been in the Palmerston local government area for a three-month period, are to be registered with the City of Palmerston.
- 3.2. Registrations will expire on 31 August each year; irrespective of the date of the registration.
- 3.3. On registration owners will be provided with a City of Palmerston approved tag. Maximum registration number is two (2) dogs and two (2) cats per property without a licence.
- 3.4. Registration application forms must be accompanied by:
 - 3.4.1. Evidence of payment of the registration fee;
 - 3.4.2. A statutory declaration stating whether the dog or cat has been declared dangerous by any local government Council; and
 - 3.4.3. Microchip number.

4. Reciprocal Registration

- 4.1. City of Palmerston may allow reciprocal registration; that is, dogs and cats that hold a current registration with other Top End Regional Organisation of Councils, that are relocated to the Palmerston municipality may be registered by City of Palmerston at no further cost for the remainder of the registration period/year.

5. Grounds of Refusal to Register

- 5.1. Pursuant to By-Law 7 (2)(b) of the (Animal Management) By-Laws, the Chief Executive Officer may refuse to register or renew the registration of a dog or cat on any grounds the Chief Executive Officer considers relevant including, but not limited to, if:
 - 5.1.1. the dog or cat is not fitted with an approved microchip;
 - 5.1.2. an Authorised Officer is satisfied that the dog is destructive, dangerous, savage or consistently the cause of nuisance to members of the public;
 - 5.1.3. the dog has been declared 'dangerous' by an Authorised Officer of any local government area;
 - 5.1.4. the registration or renewal of the dog or cat will result in the owner breaching conditions imposed on the owner's licence or registration;
 - 5.1.5. the registration or renewal of the dog or cat will result in the owner keeping more than the prescribed number of dogs or cats on the premises, without a licence;
 - 5.1.6. the subject of the registration or renewal application, has been impounded on more than two (2) occasions in the preceding two (2) years;
 - 5.1.7. the premises on which the dog or cat is usually kept, or will be kept, is inadequate to contain the animal/s; or
 - 5.1.8. the Authorised Officer has substantiated two (2) or more complaints relating to the state of the premises where the dog or cat is /will be kept.

6. Licensing

- 6.1. Pursuant to By-Law 16(1) of the (Animal Management) By-Laws, the City has established the following limits:
 - 6.1.1. An owner may keep a maximum of two (2) registered dogs on their premises without a licence.
 - 6.1.2. An owner may keep a maximum of two (2) registered cats on their premises without a licence.
 - 6.1.3. An owner may keep a maximum of two (2) registered dogs and two (2) registered cats on their premises without a licence.
- 6.2. Licences to keep more than two (2) dogs and or two (2) cats on a premises may be issued subject to meeting assessment criteria. Pursuant to By-Law 16(1) of the (Animal Management) By-Laws, the Chief Executive Officer may consider the assessment criteria on application, but is not limited to:
 - 6.2.1. The inspection assessment prior compliance history, including substantiated prior offences of a serious nature may be automatically denied;
 - 6.2.2. The size of the property and adequacy of containment;
 - 6.2.3. Outcome of consultation with adjoining neighbours and surrounding properties;
 - 6.2.4. Consideration of dog and or cats' species and breed;
 - 6.2.5. The suitability of the environment, welfare and enrichment;
 - 6.2.6. Whether the dog has been declared as dangerous in any Local Government area; and
 - 6.2.7. Overall condition of animals, including size of dogs/ cats, and whether they are desexed.

7. Cancellation of Registration

Pursuant to By-Law 11 (1) of the (Animal Management) By-Laws, the City of Palmerston may cancel, suspend, or vary a dog or cat registration if the owner fails to comply with the By-Laws, or any conditions imposed on the registration.

8. Enforcement Measures for Registration

If an owner fails to comply with conditions of registration, renew the registration, or keeps more than the prescribed number of dogs or cats on their premises without a licence, the City of Palmerston may:

- Issue the owner with an infringement notice;
- Prosecute the owner;
- Cancel, suspend or vary the registration or licence of the owner; or
- Impound the dog or cat.

9. Seizing and Impounding

Pursuant to By-Law 31 of the (Animal Management) By-Laws, an authorised person may seize and impound a dog or cat in a pound if a dog or cat appears unregistered. The owner who receives an impound notice must:

- Collect the dog or cat within the specified time; or

- Await a decision, regarding destruction or disposal under By-Laws 34 and 35. The owner commits an offence, pursuant to By-Law 32(1)(a) of the (Animal Management) By-Laws if the owner receives a notice and does not collect the dog or cat within the specified time in the notice.

10. Dog Exercise Areas

Pursuant to By-Law 17(1) City of Palmerston dog parks are those which are sign posted as “Declared Dog (off-leash) Exercise Areas”. The owner of a dog must comply with the sign-posted conditions of the declared ‘off leash’ exercise area.

The owner of a dangerous dog must ensure the dangerous dog does not enter any declared exercise area.

11. Education, Compliance and Enforcement

Compliance and Enforcement provides clear, lawful, and consistent information about how the City of Palmerston performs its compliance and enforcement functions for dog and cat registration and licencing, as prescribed within the By-Laws.

When an authorised person becomes aware of registration and licencing non- compliance, an assessment is undertaken to determine the non-compliance and what, if any, enforcement action will be undertaken.

12. Domestic Livestock and Poultry

Property Identification Code (PIC) By-Law 38 of the (Animal Management) By-Law, allows for the establishment of a condition of ownership, being that: an owner of domestic livestock and or poultry must apply for a Property Identification Code (PIC), which is an 8-character code identifying the property where livestock and poultry are kept pursuant to Regulation 32 (1) of the Northern Territory Livestock Regulations 2009.

REFERENCES AND RELATED LEGISLATION

- *City of Palmerston (Animal Management) By-Laws 2024*
- *Northern Territory Livestock Regulations 2009*
- *Northern Territory Anti-Discrimination Act 1992*

POLICY DETAILS

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| OWNER | Chief Executive Officer | RESPONSIBLE OFFICER | General Manager Community |
| APPROVAL DATE | 1 July 2024 | NEXT REVIEW DUE | 31 August 2028 |
| RECORDS NUMBER | 591366 | COUNCIL DECISION | 10/1398 |