

AGENDA

PALMERSTON ANIMAL MANAGEMENT ADVISORY COMMITTEE

Wednesday 31 March 2021

The Palmerston Animal Management Advisory Committee Meeting will be held in Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston commencing at 5:00pm.

COVID-19 Statement of Commitment

The Palmerston Seniors Advisory Committee Meeting will be open to the public and Palmerston Recreation Centre holds a Statement of Commitment to adhere to:

- Physical distancing measures
- Health and hygiene principles



LUCCIO CERCARELLI
CHIEF EXECUTIVE OFFICER

CITY OF PALMERSTON

**Notice of Palmerston Animal Management Advisory Committee Meeting
To be held in Council Chambers
Civic Plaza, Palmerston
on Wednesday 31 March 2021 at 5:00pm.**

1 ACKNOWLEDGEMENT OF COUNTRY

2 OPENING OF MEETING

3 APOLOGIES

- 3.1 Apologies
- 3.2 Leave of Absence
- 3.3 Leave of Absence Request

4 DECLARATION OF INTEREST

- 4.1 Committee Members
- 4.2 Staff

5 CONFIRMATION OF MINUTES

5.1 Confirmation of Minutes

THAT the minutes of the Palmerston Animal Management Advisory Committee Meeting held on Wednesday, 24 February 2021, pages 120 to 122 be confirmed.

5.2 Business Arising from Previous Meeting

6 CORRESPONDENCE

6.1 Resignation from Danny Moore

1. THAT Correspondence entitled Resignation received from Danny Moore, member of Palmerston Animal Management Advisory Committee be received and noted.
2. THAT the Palmerston Animal Management Advisory Committee accepts Danny Moore's resignation and notes his service to the Committee and the Palmerston community.
3. THAT the Chair of the Palmerston Animal Management Advisory Committee writes to Danny Moore on behalf of the Committee acknowledging his resignation and expressing its gratitude for his participation.

7 OFFICER REPORTS

A Place for People

- 7.1 Receive and Note Reports
 - 7.1.1 Animal Management By-Laws Review Discussion Paper and Survey Questions
- 7.2 Action Reports
 - Nil

8 GENERAL BUSINESS

9 NEXT MEETING:

THAT the next meeting for the Palmerston Animal Management Advisory Committee be held on Wednesday, 30 June 2021 at 5:00pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston.

10 CLOSURE OF MEETING

From: RSPCA Chair <Chair@rspcadarwin.org.au>
Sent: Tuesday, 2 March 2021 11:39 AM
To: Tree Gillam
Cc: Amber Garden
Subject: Doc 455682 Re: chair@rspcadarwin.org.au

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Tree,

I will not be renewing my nomination given other commitments. Thank you to the Council for the opportunity to participate in this Committee over the past two and a bit years representing RSPCA. At the appropriate time, I would like to seek another nominee from RSPCA Darwin if the Council wishes.

Regards,
Danny.

Danny Moore
Chair
RSPCA Darwin
0408 061 285

Adopt Don't Shop
www.rspcadarwin.org.au

On 2 Mar 2021, at 12:05 pm, Tree Gillam <Tree.Gillam@palmerston.nt.gov.au> wrote:

Good morning Danny,

The closing date for the acceptance of the extension of membership for PAMAC is 5.00pm 3 March 2021.

Could you please advise if you are intending to confirm your extension by completing the attached form.

Thanking you in anticipation.

Regards
Tree

<CoP_Web_Blue_Logo_2019_3da09768-96dd-4b20-8351-efc002307b2b.png>

Tree Gillam

Executive Assistant to Deputy Chief Executive Officer
Lifestyle and Community

p: 08 8935 9902

m: 0427 599 142

a: PO Box 1, Palmerston NT 0831 Australia

w: www.palmerston.nt.gov.au e: Tree.Gillam@palmerston.nt.gov.au

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[<B_LINKEDIN_Icon_dfb43ddb-8178-4115-811a-7f16052e8123.png>](#)

[<B_YOUTUBE_Icon_767b6724-783d-4f28-ba08-8b2a165de5c7.png>](#)

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[<Signature_Icecream_Final_bb5c8b31-ad51-40fe-b720-e19afc9e7d5c.jpg>](#)

From: Tree Malyan
Sent: Monday, 15 February 2021 1:54 PM

To: chair@rspcadarwin.org.au
Subject: chair@rspcadarwin.org.au

Attachment A

Dear Danny,

Please find attached a copy of letter from the CEO, Mr Luccio Cercarelli and an acceptance of extension form in regards to membership extension on the Palmerston Animal Management Advisory Committee.

If you have any questions, please do not hesitate to contact me.

Thanking you in anticipation.

Regards
Tree

<20210208 - Committee Membership - Acceptance of Extension Form -Danny Moore.docx>

<20210205 - Council Advisory Committee Membership Extension - Danny Moore.pdf>

AGENDA ITEM:	7.1.1
REPORT TITLE:	Animal Management By-Laws Review Discussion Paper and Survey Questions
REPORT NUMBER:	PMAC9/036
MEETING DATE:	31 March 2021
AUTHOR:	Manager Regulatory Services, Jocelyn Cull
APPROVER:	Director Lifestyle and Community, Amelia Vellar

COMMUNITY PLAN

Family and Community: Palmerston is a safe and family friendly community where everyone belongs.

PURPOSE

This report seeks to advise the Palmerston Animal Management Advisory Committee (PAMAC) of the Animal Management By-Laws Review Discussion Paper and Survey Questions and accompanying survey questions which have been published for community consultation.

KEY MESSAGES

- Council's current animal management by-laws were enacted in 1999 and have had no significant content change since their enactment.
- While the by-laws have delivered what they were intended to do, they are no longer considered reflective of the community's needs, nor of modern legislative drafting.
- An update of the current animal management by-laws to meet community expectations has been identified by Council as a priority action.
- The Northern Territory Government has previously identified the Litchfield Council (Dog Management) By-Laws 2017 as model by-laws for the jurisdiction.
- Council will leverage the Litchfield Council's by-laws using them to inform the by-law development process.
- In November 2020, Council decided to undertake a varied process involving early community consultation to determine the community's views on this important issue.
- This Report presents the Animal Management By-Laws Review Discussion Paper and accompanying community consultation survey.
- An engagement consultant was procured to assist with the accompanying community survey questions.
- The paper includes identified required changes which will not be included in the consultation as well as broader areas pertaining specifically to animal management which Council will seek community input.
- After community consultation there will be a presentation of the consultation paper to Council.
- Animal Management issues tend to draw a variety of views which the discussion paper intends to capture through responses to the survey.

RECOMMENDATION

THAT Report Number PMAC9/036 Animal Management By-Laws Review Discussion Paper and Survey Questions be received and noted.

BACKGROUND

At the 1st Ordinary Council meeting of 2 March 2021, Council endorsed the following recommendations:

Animal Management By-Laws Review Discussion Paper and Survey Questions

1. *THAT Report entitled Animal Management By-Laws Review Discussion Paper and Survey Questions be received and noted.*
2. *THAT Council adopt the Animal Management By-Laws Review Discussion Paper and accompanying survey questions for the purpose of Community Consultation for a sixty-day period, as detailed within Report entitled Animal Management By-Laws Review Discussion Paper and Survey Questions, including minor amendments to clarify issues relating to dangerous dogs and nuisance animals.*
3. *THAT a Report on the outcomes of Community Consultation regarding the Animal Management By-Laws Review Discussion Paper and survey questions be presented to Council following conclusion of the consultation period at the Second Ordinary Meeting in May 2021.*
4. *THAT the Report and Council Decisions relating to Report entitled Animal Management By-Laws Review Discussion Paper and Survey Questions be moved to the Open Minutes at the Council Meeting of 2 March 2021.*

CARRIED 9/1525 - 02/03/2021

At the 2nd Ordinary Council Meeting of 17 November 2020, Council endorsed the following recommendations:

Animal Management By-Laws Update and Public Consultation Discussion Paper

1. *THAT the report entitled Animal Management By-Laws Update and Public Consultation Discussion Paper be received and noted.*
2. *THAT Council endorses a review of the Palmerston (Animal Management) By-Laws 1999 to ensure that they are modern and reflective of the community's needs, utilising the process outlined in the report entitled Animal Management By-Laws Update and Public Consultation Discussion Paper.*
3. *THAT a Council workshop be held in early February 2021 regarding the discussion paper for community consultation regarding the animal management by-laws.*
4. *THAT a report be presented on the outcomes of the community consultation key findings and recommendations in regard to animal management by-law requirements to Council at the Second Ordinary Meeting in May 2021.*

CARRIED 9/1386 - 17/11/2020

City of Palmerston is committed to providing quality animal management services to our community. A set of by-laws govern the way we manage animals in our municipality and a review is needed to improve our service delivery and meet the growing and changing needs of the Palmerston community.

Council's current animal management by-laws were enacted in 1999 and have had no significant change since their enactment. While they have served their purpose, they are no longer reflective of the community's needs or modern legislative drafting.

Council has identified an update of the current animal management by-laws to meet community expectations as a priority action. In order to do this, there is a process we need to follow, including consulting with community to understand people's views, opinions, and appetite for change.

Developing the discussion paper, as presented at **Attachment A** to report entitled Animal Management By-Laws Review Discussion Paper and Survey Questions is a key component of community engagement and has been designed as a communication tool to inform the community about Council's current and proposed animal management protocols and prompt community feedback.

This discussion paper includes a series of feedback prompts throughout which the public can answer by taking an online survey which has more detailed questions than the discussion paper, as presented at **Attachment B**. A hard copy survey can also be mailed out if required.

DISCUSSION

Council is committed to working alongside our community and sees significant value in tapping into the 'wisdom of the crowd'. Council will work with and listen to community concerns to address the animal management issues and challenges that we have.

A key point of difference with this review is the additional step of preliminary community consultation in the by-law's development process. Council will enhance community connection by increasing community input and ownership of content at the start of the process by way of community response to a discussion paper. Council will seek to address the key points raised by the discussion paper. It is understood that this is the first time such an approach has been used in this jurisdiction, which Council believes will support an inclusive and transparent process.

Areas for review

Content areas for review within the Discussion Paper include:

- Resources (human and financial);
- Dog barking;
- Dog attacks / menaces;
- Declared dangerous dog;
- Nuisance animals;
- Licencing;
- Animals at large (stray cats);
- Registration of cats;
- Microchipping.

Strict Liability and Penalties

Strict liability and penalties are both topics that are legal public policy areas (the remit of the Northern Territory Government, Department of Attorney General and Justice) and, are a 'given' therefore will not be included as a discussion area. The paper does discuss how changes to these areas will be taking place. Strict liability (instead of establishment of guilt) is a modern standard for regulatory provisions – the Litchfield Council By-Laws encompass this. Similarly, our reviewed penalties will be aligned with the *Penalty Units Act 2009 (NT)* - therefore there is no real scope for public discussion.

Next Steps

Following Council endorsement, the Discussion Paper and accompanying survey was officially launched on Tuesday 9 March 2021. The community consultation will extend for sixty days concluding on Saturday 8 May 2021. Once the consultation has ended, officers will collate and analyse the consultation data and investigate any follow up areas.

In May 2021, a brief will be presented to Council outlining the key findings and commentary on animal management issues as evidenced from the analysis of the discussion paper. It is envisaged that the analysed feedback will inform the development of drafting instructions that will be submitted to the Office of the Parliamentary Counsel.

Drafting instructions will be forwarded to the Office of the Parliamentary Counsel. The Minister's approval for the proposal will need to be obtained, the Preliminary Regulation Impact Assessment undertaken and a PRIS Certificate issued if required.

CONSULTATION PROCESS

Staff recommend that Council undertake community consultation regarding the Animal Management By-Laws Review Discussion Paper after adoption of the paper by Council. Given the sensitive nature of the subject matter and importance of broad consultation, staff suggested extensive consultation over an extended period increasing the access period from 21 days up to 60 days. The consultation will also include targeted sessions with identified groups such as PAMAC and Dog Park users.

Council staff have implemented an appropriate media and communications strategy to assist and promote the consultation process.

The following City of Palmerston staff were consulted in preparing this report:

- Communications Manager
- Regulatory Services Lead
- Regulatory Services Project Officer
- Senior Ranger

In preparing this report, the following external parties were consulted:

- Engagement Consultant, True North

POLICY IMPLICATIONS

There are no policy implications for this report, however when Animal Management By-Laws are formalised, new Council policies and procedures will need to be created to reflect the new by-laws and direct Council on animal management education, regulation, and compliance.

BUDGET AND RESOURCE IMPLICATIONS

The preparation of the discussion paper, survey questions, council workshop, consultation brief and preparation of drafting instructions will be undertaken using existing operational budgets. Specific expert legal advice will be necessary for the development of by-laws drafting instructions and a local firm has been engaged for this purpose.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

The timeframe from preliminary community consultation through to the forwarding of drafting instructions and ultimate enactment of by-laws can be extensive. This may result in community frustration, scepticism, and mistrust of the legitimacy of the activity. Extensive timeframes can be mitigated somewhat by the utilisation of the model by-laws for content and structure, particularly so given the level of familiarity that the Office of Parliamentary Counsel has with that body of work.

Another area of risk is the high likelihood of diverse and potentially conflicting views from the community in relation to the discussion paper. This may result in unclear direction or means by which to proceed in reference to animal management areas. This potential can be alleviated by effective engagement through clear and effective communications outlining key areas and possible implications, and also any limitations on the ambit of the proposed by-laws to manage community expectations.

There is also a risk that despite community consultation any proposed changes from Council may not meet Parliamentary Councils standards and they may not support Council's proposed by-law changes.

The development of by-laws and investigation of key risk areas is a specialist area. As such, legal expertise will be procured as is needed.

This report addresses the following City of Palmerston Strategic Risks:

1 Fails to effectively regain the trust from all stakeholders

Context: Council needs to be credible and trusted by those within and external to the Council.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

Attachment A: Animal Management By-Laws Review Discussion Paper

Attachment B: Animal Management By-Laws Consultation Survey Questions

CITY OF PALMERSTON

**ANIMAL MANAGEMENT
BY-LAWS REVIEW**

DISCUSSION PAPER



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1. INTRODUCTION

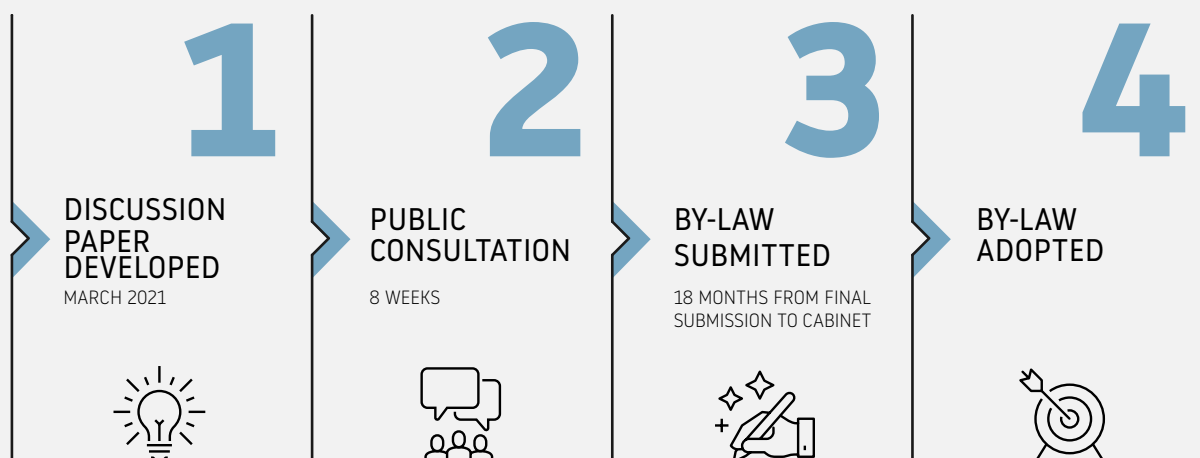
City of Palmerston is committed to providing quality animal management services to our community. A set of by-laws govern the way we manage animals in our municipality and a review is needed to improve our service delivery and meet the changing needs of the Palmerston community.

Council's current animal management by-laws were enacted in 1999 and have had no significant change since their enactment. While they have served their purpose, they are no longer reflective of the community's needs or modern legislative drafting.

Council has identified an update of the current animal management by-laws to meet community expectations as a priority action. In order to do this, there is a process we need to follow, including consulting with the community to understand people's views, opinions and appetite for change.

Developing this Discussion Paper is a key component of community engagement and has been designed as a communication tool to gauge feedback from the community about Council's current and proposed animal management practices.

This Discussion Paper includes a series of feedback prompts throughout which you can answer by taking our [online survey](#). To access the survey or for more information on how you can provide feedback on Council's Animal Management By-Laws, visit palmerston.nt.gov.au. A hard copy survey can also be mailed out to you upon request by emailing palmerston@palmerston.nt.gov.au.



2. BACKGROUND

The City of Palmerston 2020 Community Survey found animal management is considered a key service provision by our community.

.....

Council's animal management capabilities continue to improve with the introduction of service initiatives including after hour animal patrols, the employment of an Animal Education Officer and the introduction of several proactive, community-based programs.

In 2019-20, Council's educational events included responsible pet ownership, understanding animal behaviour, registration incentives and microchip awareness. These events received positive feedback from the community.

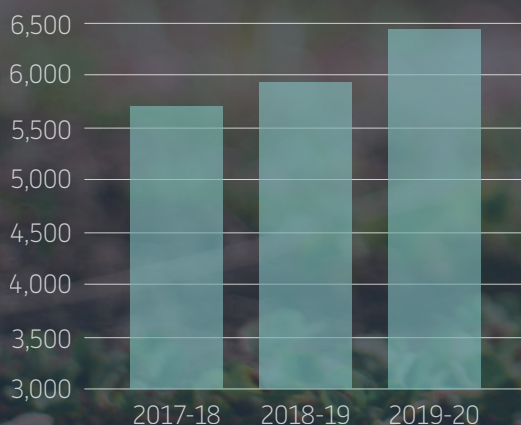
Animal management has scope to further improve, particularly given increasing levels of pet ownership in the municipality. In 2019-20, 6429 dogs were registered in Palmerston with a number of additional unregistered dogs identified in the community. This compares to 5931 dogs registered in 2018-19 and 5696 dogs registered

in 2017-18. City of Palmerston's population is expected to increase by 1.2 per cent annually and we anticipate dog ownership and registration will also subsequently continue to grow.

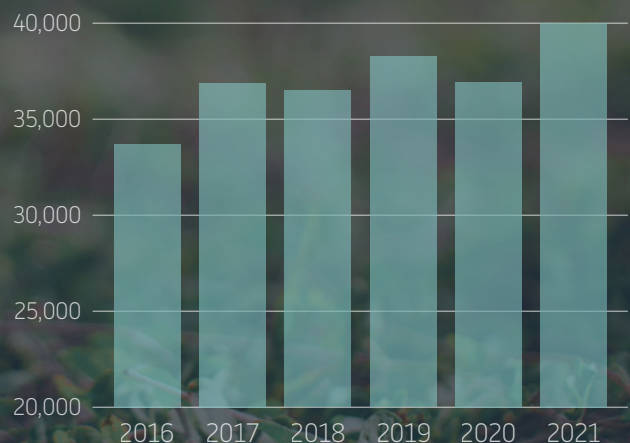
Increased dog ownership has seen an increase in animal management concerns by the community, including an increase in reports of dogs at large, barking complaints and dog attacks / menaces. Council has also received complaints regarding cats, birds and poultry, including noise complaints (roosters and birds), damaging local fauna (cats), excessive pet ownership and associated nuisance smell complaints.

We need to review and update our by-laws to continue delivering effective animal management to protect public health, safety and amenity in the City of Palmerston.

DOG REGISTRATIONS



POPULATION GROWTH



2.1 By-Laws

A municipal by-law is a piece of legislation which Councils use to respond to issues and community needs within their respective municipalities.

City of Palmerston, as with all municipal councils within the Northern Territory, derives its power to pass by-laws from the Local Government Act 2008 (NT). By-laws must comply with the principles set out in section 189 of that Act and, as a matter of law, can only be made within the by-law making power provided for in the Act.

The City of Palmerston has enacted by-laws in policy areas such as public places, signs, hoardings and animal management.

The development of new Animal Management By-Laws must follow a number of key steps which is mandated by legislation.

The high-level steps in making a by-law are as follows:

1. Council undertakes consultation on the by-law with key stakeholders.
2. Council works with the Office of Parliamentary Council to draft the by-law.
3. The by-law is signed by the authorised person.
4. The by-law is forwarded to the responsible Minister for approval and signing of the Gazette notice.
5. The signed notice is published in the Northern Territory Government Gazette.
6. The by-law is tabled in the Legislative Assembly within three sitting days after the by-laws have been notified in the Gazette.
7. The by-law comes into effect.

The full process of by-law preparation and enactment can take quite some time; around 18-24 months from initial and ongoing consultation, drafting, publication and enactment.

Council is committed to working in partnership with the community to make this process as efficient as possible.

2.2 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 issues such as:

- They do not address animal management issues relating to cats, birds, poultry or other animals,

- They do not allow for the declaration of dangerous dogs after an identified and established dog attack or dog menace; and
- 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. The by-laws do not adopt the penalty unit regime established under the Penalty Units Act 2009 (NT) which allows for reasonable inflation and to remain consistent with one another.

The Palmerston (Animal Management) By-Laws have existed with only minor amendments since they were enacted. Good governance suggests that legislation, including by-laws, should be regularly reviewed in order to remain relevant to evolving community standards and expectations.

A review will ensure that by-laws remain current, are fit for purpose and remain consistent with similar jurisdictions and developments in the law.

Council will work with and listen to community concerns to address animal management issues and challenges as we start the process of updating our by-laws.

2.3 By-Law Changes

To reach model and contemporary by-law standards which will allow for effective application of regulatory powers, Council will be making the following changes to the current by-laws:

- Classification of by-law offences as strict liability offences,
- By-law penalties to be aligned with the Penalty Units Act 2009 (NT)
- 'Tightening' of the nuisance barking definition; and
- Other administrative changes.



3. COUNCIL RESOURCING

Council services provided for the community are predominately funded by rates. Rates are Council's main source of income and are used to provide essential infrastructure and services. This income is also used to improve services and for the provision of facilities, programs, activities and capital works.

Animal management is considered a key service provision by our community. While dog registration fees generate some funding for this area, animal management is largely supported by rates. Animal management is therefore a subsidised service as not all rate payers are pet owners. Council subsidises this service for the benefit of the wider community. Effective animal management enhances local amenity which creates a safe and enjoyable place to live.

Any change to the animal management by-laws will impact the way Council's regulatory services provisions work. If the by-laws are expanded to cover other animal categories or existing regulations are changed it will more than likely require more regulatory control and enforcement which will cost Council more money. In this sense, additional resources may result in additional costs. We must therefore carefully consider changes to the by-laws especially during community consultation so you can be fully informed about the financial impact on Council services and resourcing.

4. ANIMAL MANAGEMENT REVIEW AREAS

The following sections detail the animal management areas that are subject to review. The information is included to provide details about concerns within the topic area and proposed improvements.

4.1 Dog Barking

Many people keep animals for companionship however noisy animals may greatly reduce the quality of life for neighbours and increase neighbourhood tensions. In Australia, each state or territory has its own laws on how domestic animals are to behave and be controlled by their owners. These laws extend to acceptable levels of noise created by animals so they do not unreasonably interfere with the peace, comfort or enjoyment of a person in their home or property.

Excess dog barking is a complex issue. People have different work / rest requirements (i.e. nine to five day jobs verses night time shift work) as well as varying tolerance levels for neighbourhood noise. The trend towards smaller residential block sizes and dwellings may also exacerbate the issue of barking dogs with alleged offenders in closer ear-shot to their neighbours. It may also be the case that smaller block sizes and dwellings are not suitable for multiple animals.

While regulations can be tightened and improved, there is no 'one size fits all' for barking complaints which continues to be a challenging area for local authorities Australia-wide.



CURRENT SITUATION

Dog barking complaints within the City of Palmerston have increased. 221 dog barking complaints were received by Council in 2020. This increased from 165 complaints in 2019 and 160 in 2018.

Dog owners can be fined for noise amounting to nuisance, however it can be quite challenging to substantiate a case of nuisance barking through the use of barking diaries and ranger patrols. Currently Council does not have the ability to order the installation of a barking monitor device on the relevant animal or at the owner's property to investigate the complaint. There are also no additional measures Council can implement that could better help resolve the core issue.



PROPOSED CHANGES

Council could have the power to order the fitting or installation of a barking monitor to an animal or at a property to effectively monitor nuisance barking complaints. Council could also implement additional measures to support owners dealing with excessive barking including animal education sessions and further penalties for consistent barking issues including amended registration conditions, cancelled registration and seizure of the offending animal.

QUESTIONS



Do you agree with Council having the ability to implement additional enforcement measures for nuisance barking listed below?

- Council should have power to order the installation of a barking monitoring device
- The number of dogs allowed to be kept on a property / dwelling should correlate to the lot size
- Amended registration conditions for nuisance barking
- Cancelled registration for nuisance barking
- Compulsory animal education attendance for nuisance barking.

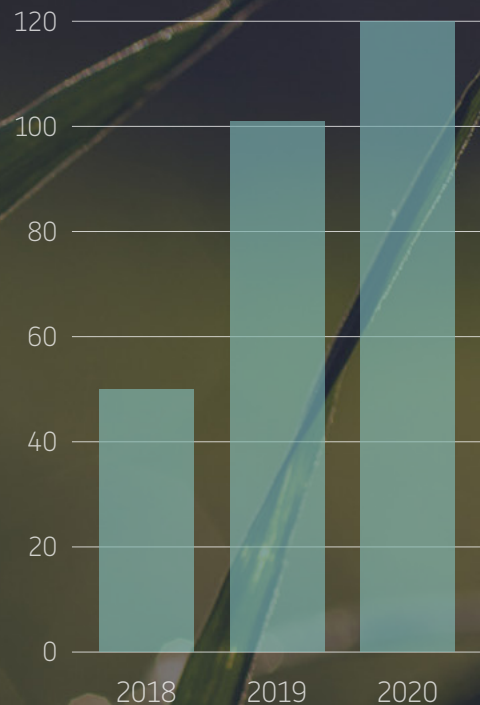
4.2 Dog Attacks / Menaces

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.

Within the City of Palmerston, there were 120 dog attack complaints received in 2020. This was an increase from 101 complaints received in 2019 and 50 in 2018.

Different jurisdictions in Australia apply various penalties when a dog attack occurs depending on its severity.

Dog Attacks / Menaces



CURRENT SITUATION

Currently, when a dog attack occurs within the municipality, an investigation takes place and depending on the outcome, cancellation of existing registration or penalty infringements may apply. The owner may also voluntarily elect to surrender their dog to the City of Palmerston.



PROPOSED CHANGES

Council is looking to include a range of new penalties that can be used independently or in conjunction depending on the severity of the attack, including:

- A fine scale so the penalty is suited to the severity of the attack
- Officially registering the dog as a 'Declared Dangerous Dog' with conditions attached such as wearing a muzzle
- Ordering the owner to remove their dog to a different jurisdiction – in other words, to find the dog a new home in another community
- Euthanising the dog.



QUESTIONS

Do you agree there should be a 'sliding fine scale' used for dog attacks to reflect the severity of the incident i.e. \$250-1000?

Do you support Council having the ability to implement the additional penalties listed below if a dog is declared as dangerous?

- Officially registering the dog as a Declared Dangerous Dog with conditions attached such as wearing a muzzle
- Ordering the owner to remove their dog to a different jurisdiction – in other words, to find the dog a new home in another community
- Euthanising the dog.



4.3 DECLARED DANGEROUS DOG

All residents have the right to feel safe in our community. Many people keep a dog to deter trespassers and burglars. There is no problem with this providing that it does not become a danger to other people or animals, excluding vermin (e.g. rats and mice).

CURRENT SITUATION

Council does not currently have the ability to register dogs as Declared Dangerous Dogs. Other jurisdictions apply this in instances where a dog aggressively attacks a person or other animal causing physical injury or death, the dog has menaced a person, or displayed unreasonable aggression. Declaring a dog as dangerous means Councils can better protect the community's safety and wellbeing while also helping improve the animal's wellbeing.

PROPOSED CHANGES

Under revised by-laws there is the potential to introduce provisions relating to a dangerous dog declaration. This declaration can apply where a dog aggressively attacks a person or other animal, causing physical injury or death.

Where a dog has been shown to behave in a way that fits the dangerous dog description, it can be subject to a local government ruling and be declared as a dangerous dog. This means that the dog is subject to a range of specific controls including:

- Being desexed and microchipped
- Confined to a special enclosure within the owner's property
- Undertaking behaviour modification
- Wearing a muzzle and lead when being exercised
- Affixing a visible 'dangerous dog' sign to the property
- Mandatory notification to Council if the owner intends to keep the dog at a different location for an extended period of time
- Compulsory reporting to Council if the dog has attacked or been involved in an attack
- Compulsory notification to Council if the dog is missing, dies or if ownership is transferred
- Prospective purchasers to be informed of the dog's status.

In addition, the owner may also be required to undertake specific animal education training.

In the case of the dog being particularly aggressive and / or the owners do not comply with control orders, the council may be given the power to euthanise the dog.

QUESTIONS



Do you agree Council should be able to declare dogs as dangerous?

Do you agree with Council having the ability to implement the specific controls listed below for dangerous dogs?

- Being desexed and microchipped
- Confined to a special enclosure within the owner's property
- Undertaking behaviour modification and/or training
- Wearing a muzzle and lead when being exercised
- Affixing a visible 'dangerous dog' sign to their property
- Mandatory notification to Council if the owner intends to keep the dog at a different location for an extended period of time
- Compulsory reporting to Council if the dog has attacked or been involved in an attack
- Compulsory notification to Council if the dog is missing, dies or if ownership is transferred
- Prospective purchasers to be informed of the dog's status.

Do you agree that owners should pay more for initial and ongoing registration of dogs who have been declared dangerous?

Do you agree that in some instances more than one penalty should apply i.e. a fine in line with the attack severity and registering the dog as a declared dangerous dog?

4.4 NUISANCE ANIMALS

While barking dogs are the most common problem, 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

Our 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 mewing.

Council received 19 noise complaints concerning poultry in 2020 which has increased from 16 in 2019 and three in 2018. Council received two nuisance noise complaints for birds in 2020 and there are no recorded bird complaints from previous years.



PROPOSED CHANGES

If Council expands into this regulatory area more resourcing would be needed which may result in an increase to rates. Council needs to consider this resourcing challenge carefully while also assessing whether Council is the best placed body to govern nuisance animals other than dogs given the available expertise in other agencies such as the Environment Protection Authority (EPA) or the Department of Health.

ANIMAL MANAGEMENT REQUESTS



QUESTIONS

- Have you experienced problems relating to cat noise?
- Have you experienced problems relating to bird/poultry noise?
- Have you experienced nuisance behaviour from other animals? If so, what were the major issues?
- Would you be prepared to pay additional rates to cover the expansion of this service?

4.5 LICENSING

According to the Australian Companion Animal Council (the peak body representing pet ownership and the pet industry in Australia), the national average of dog ownership per hundred people in Australia is 18 dogs per hundred people. The Northern Territory has the highest ownership of dogs with 20 dogs per hundred people. In 2019/20, 6429 dogs were registered in the City of Palmerston. With a current population of approximately 37 000 people in Palmerston, this equates to approximately 19 dogs per hundred people.

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. All immediate neighbours of the applicant's property are contacted by Council for comment. Council then makes a determination on whether to grant the licence based on the evidence from the assessment and outcomes of the consultation with the neighbours.

Council issued 48 licences for residents to keep more than two dogs at a property in 2020 which is a notable increase from 23 in 2019 and nine in 2018.

An issue for the City of Palmerston in this area is the trend for smaller residential development block sizes and changes to dwelling types i.e. more townhouses, units and flats. Arguably the number of dogs kept at one property should be proportionate to and dependant on the owner's block size in order to safeguard the animals' welfare.

City of Palmerston does not currently limit how many cats can be kept at a premises.

PROPOSED CHANGES

Council is considering reviewing its licensing requirements to state:

- Licences for more than two dogs / cats is dependant on block size and dwelling type
- Licence holders must request a re-issued licence if their living arrangements change.

QUESTIONS



Should the applicant's size of property be a key consideration in whether a licence should be granted to home between 2-6 dogs?

Should the applicant's dwelling type be a key consideration in whether a licence should be granted?

Should a licence holder have to reapply if they move properties?

Should licensing provisions be extended to cats?

4.6 ANIMALS AT LARGE (STRAY CATS)

An animal is considered at large when it is found wandering outside of its premises without its owner i.e. a dog that has escaped from a property or has become separated and is roaming some distance away. An animal is also considered at large when it is not under effective control by the owner. For instance, if a dog is being walked off lead in a non-designated off lead area, it is considered roaming free and uncontained.

CURRENT SITUATION

Council's current by-laws only apply to dogs at large. Council received 1115 complaints about dogs at large in 2020. This was a decrease from the 2019 figure of 1178 complaints but an increase from 917 complaints in 2018. Trend analysis indicates that approximately 57 per cent of all dogs at large are impounded at Council facilities.

In other jurisdictions, if a cat is found at large outside the premises of the owner at any time, the owner is guilty of an offence. This policy is in place to encourage responsible pet ownership and to minimise any nuisance or risk to fauna from wandering cats.

The number of complaints Council receives about cats at large fluctuates. Council received 11 complaints for cats at large in 2020, 27 complaints in 2019 and only two in 2018.

PROPOSED CHANGES

Council can consider extending its by-laws to include penalties for cats at large. If this by-law area is expanded, there will be the need for additional resources in Council's Regulatory Services to allow for increased Rangers for education and enforcement. This may result in increased Council rates to cover these services.

QUESTIONS



Do you think the animals at large offence should also include cats?

Do you think any other category of animal should be included in an at large by-law provision?

4.7 REGISTRATION OF CATS

Under the current by-laws, all dogs over the age of three months must be registered in the City of Palmerston. Registration provides Council with a description of the dog, identifies the owner and provides their contact information in case the dog gets lost or goes wandering. In some councils in Australia, the requirement for registration has now been extended to cats. This has been introduced in an attempt to control cat numbers and help protect wildlife in a local area.

CURRENT SITUATION

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

PROPOSED CHANGES

City of Palmerston is considering making it a requirement for cats to be registered and is analysing the implications. Council may require more resources to regulate this additional area which could increase the cost of pet registration or subsidise the increased service cost through a rate increase for all residents.

QUESTIONS



Do you think cat registration should be introduced?

Would you be prepared to pay additional rates to cover the expansion in this service?



4.8 MICROCHIPPING

Animal microchipping for identification purposes is strongly encouraged for all dog owners by the City of Palmerston. 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 reduction in annual registration costs for dogs that have been microchipped, however it is not a compulsory requirement for registering your dog.

PROPOSED CHANGES

Council is considering the benefits and implications of making microchipping compulsory to register a pet in City of Palmerston. Microchipping a dog gives them the best chance of being identified and returned to their owner if they become lost or stolen.

QUESTIONS



Do you think microchipping should be compulsory for dogs prior to registration?

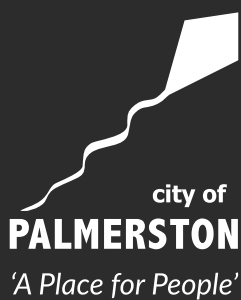
Do you think microchipping should be compulsory for cats if they were required to be registered within the municipality?

5. FURTHER QUESTIONS / FEEDBACK

We want to hear what you think about our current and proposed changes to the animal by-laws. You can answer our feedback prompts by taking our online survey, available at palmerston.nt.gov.au. To request a hard copy of this document and the survey, contact Regulatory Services on **(08) 8935 9977** or email palmerston@palmerston.nt.gov.au.

6. NEXT STEPS

Community consultation for the review of the Palmerston (Animal Management) By-laws will take place over an eight-week period. Once consultation has ended Council will analyse and collate the feedback in a consultation report. This feedback will be used to inform a set of guiding principles for the drafting of new by-laws. Council will work with the Office of Parliamentary Council during this drafting process and the new Animal Management By-Laws will come into effect once all legal requirements are finalised.



Civic Plaza
1 Chung Wah Terrace,
Palmerston, NT 0830
palmerston.nt.gov.au



Animal Management By-Laws Consultation

Have your say on animal management in Palmerston

Please read the Animal Management By-Laws Discussion Paper on our website before completing this survey. It contains the information you need to provide informed responses, including the reasons for Council's proposed changes to the animal management by-laws.

To request a hard copy of the document and survey:

Email palmerston@palmerston.nt.gov.au or,

Call 08 8935 9900.

Background

City of Palmerston is committed to providing quality animal management services to our community. A set of by-laws govern the way we manage animals in our municipality and a review is needed to improve our service delivery and meet the growing and changing needs of the Palmerston community.

Council's current animal management by-laws were enacted in 1999 and have had no significant change since their enactment. While they have served their purpose, they are no longer reflective of the community's needs or modern legislative drafting.

Council has identified an update of the current animal management by-laws to meet community expectations as a priority action. In order to do this, there is a process we need to follow, including consulting with community to understand people's views, opinions and appetite for change.

Animal Management By-Laws Consultation

About you

The purpose of this survey is to gather information from the community for City of Palmerston's review of its Animal Management By-Laws. All data collected for this survey will remain confidential and be provided in an aggregated format that does not identify individuals. Your personal details will not be used in any way except as specified in the survey and will not be made available to any other party.

1. Age

- Under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+

2. What Suburb do you live in?

- Farrar
- Johnston
- Zuccoli
- Moulden
- Bellamack
- Gunn
- Gray
- Other (please specify)
- Driver
- Durack
- Marlow Lagoon
- Woodroffe
- Bakewell
- Rosebery
- Durack Heights

3. Are you a City of Palmerston rate payer?

- Yes
- No

4. Do you have any pets?

- Yes, dog/s
- Yes, cat/s
- Yes, bird/s or poultry
- No

Yes, other (please specify)

5. Contact information for receiving updates on City of Palmerston's animal management by-laws

Name

Email Address

Phone Number

Animal Management By-Laws Consultation**4.1 Dog Barking**

The following questions relate directly to the sections listed in the Animal Management Discussion Paper. Reading this document before completing the survey will give you all the information you need to answer these questions. You can use the section numbering below to correlate it to the information in the Discussion Paper.

6. Do you agree with Council having the ability to implement additional enforcement measures for nuisance barking listed below?

	Yes	No	Unsure or neutral
Council should have power to order the installation of a barking monitoring device	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The number of dogs allowed to be kept on a property / dwelling should correlate to the lot size	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amended registration conditions for nuisance barking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cancelled registration for nuisance barking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compulsory animal education attendance for nuisance barking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Animal Management By-Laws Consultation

4.2 Dog Attacks/Menaces

7. Do you agree there should be a ‘sliding fine scale’ used for dog attacks to reflect the severity of the incident i.e. \$250-1000?

- Yes
- No
- Unsure or neutral

Animal Management By-Laws Consultation

4.2 Dog Attacks/Menaces

8. Do you support Council having the ability to implement the additional penalties listed below if a dog is declared as dangerous?

	Yes	No	Unsure or neutral
Officially registering the dog as a Declared Dangerous Dog with conditions attached such as wearing a muzzle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ordering the owner to remove their dog to a different jurisdiction - in other words, to find the dog a new home in another community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Euthanizing the dog	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Animal Management By-Laws Consultation

4.3 Declared Dangerous Dogs

9. Do you agree Council should be able to declare dogs as dangerous?

Yes

No

Animal Management By-Laws Consultation

4.3 Declared Dangerous Dogs

10. Do you agree with Council having the ability to implement the specific controls listed below for dangerous dogs?

	Yes	No	Unsure or neutral
Being desexed and microchipped	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Confined to a special enclosure within the owner's property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Undertaking behaviour modification and/or training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wearing a muzzle and lead when being exercised	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No	Unsure or neutral
Affixing a visible 'dangerous dog' sign to their property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mandatory notification to Council if the owner intends to keep the dog at a different location for an extended period of time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compulsory reporting to Council if the dog has attacked or been involved in an attack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compulsory notification to Council if the dog is missing, dies or if ownership is transferred	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prospective purchasers to be informed of the dog's status	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. Do you agree that owners should pay more for initial and ongoing registration of dogs who have been declared dangerous?

Yes

No

Other (please specify)

12. Do you agree that in some instances more than one penalty should apply i.e. a fine in line with the attack severity and registering the dog as a declared dangerous dog?

Yes

No

Animal Management By-Laws Consultation

4.4 Nuisance Animals

13. Have you experienced problems relating to cat noise?

Yes

No

14. Have you experienced problems relating to bird/poultry noise?

Yes

No

15. Have you experienced problems relating to offensive odours from domestic animals, nuisance noise or unhealthy conditions causing pest and vermin issues?

Yes

No

If yes, please specify the type of animal and problem you have experienced

16. Would you be prepared to pay additional rates to cover the expansion of this service?

Yes

No

Animal Management By-Laws Consultation

4.5 Licensing

17. Should the applicant's size of property be a key consideration in whether a licence should be granted to home between 2-6 dogs?

Yes

No

18. Should the applicant's dwelling type be a key consideration in whether a licence should be granted?

Yes

No

19. Should a licence holder have to reapply if they move properties?

Yes

No

20. Should licensing provisions be extended to cats?

Yes

No

Animal Management By-Laws Consultation

4.6 Animals at Large (stray cats)

21. Do you think the animals at large offence should also include cats?

Yes

No

22. Do you think any other category of animal should be included in an at large by-law provision?

Yes

No

If yes, please specify what animals you think should be included

Animal Management By-Laws Consultation

4.7 Registration of Cats

23. Do you think cat registration should be introduced?

Yes

No

24. Would you be prepared to pay additional rates to cover the expansion in this service?

Yes

No

Animal Management By-Laws Consultation

4.8 Microchipping

25. Do you think microchipping should be compulsory for dogs prior to registration?

Yes

No

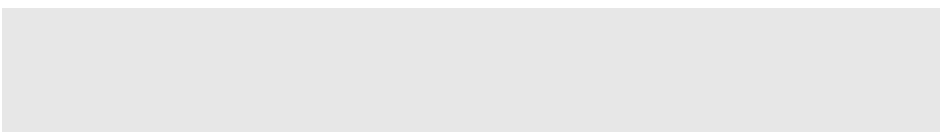
26. Do you think microchipping should be compulsory for cats if they were required to be registered within the municipality?

Yes

No

Animal Management By-Laws Consultation

27. Do you have any other comments you would like to make about Council's animal management by-laws?



The top of the page features a dark blue background with a white silhouette of a family (a man, a woman, and two children) walking along a path towards a body of water. In the distance, there are silhouettes of buildings and a water tower. To the right, two vibrant, colorful birds (likely bee-eaters) are perched on a branch, set against a bright yellow and orange background with abstract patterns. The text 'city of PALMERSTON' and the slogan 'A Place for People' are located in the upper left corner.

city of
PALMERSTON
'A Place for People'

PALMERSTON ANIMAL MANAGEMENT ADVISORY COMMITTEE MEETING MINUTES

WEDNESDAY, 24 FEBRUARY 2021

'A Place for People'

CITY OF PALMERSTON

**Minutes of Palmerston Animal Management Advisory Committee Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Wednesday 24 February 2021 at 5:00pm.**

COMMITTEE MEMBERS

Alderman Amber Garden (Chair)
Mayor Athina Pascoe-Bell
Alderman Sarah Henderson
Jill Pascoe
Andrea Ruske (entered the meeting at 5.08pm)
Territory Families, Housing and Communities, Rebecca Newman

STAFF

Chief Executive Officer, Luccio Cercarelli
Deputy Chief Executive Officer/Director Lifestyle and
Community, Amelia Vellar
Regulatory Services Manager, Jocelyn Cull
Minute Secretary, Tree Malyan

GALLERY

1 ACKNOWLEDGEMENT OF COUNTRY

I respectfully acknowledge the traditional owners of the land on which we are meeting - the Larrakia People - and pay my respects to their elders, past, present and future.

2 OPENING OF MEETING

The Chair declared the meeting open at 5:02pm.

3 APOLOGIES

3.1 Apologies

Moved: Mayor Pascoe-Bell
Seconded: Alderman Henderson

THAT the apologies received from Danny Moore and Katrina Stafford for 24 February 2021 be received and noted.

CARRIED PAMAC9/0198 - 24/02/2021

Initials: _____

3.2 Leave of Absence Previously Granted

Nil.

3.3 Leave of Absence Request

Nil.

4 DECLARATION OF INTEREST

4.1 Committee Members

Nil.

4.2 Staff

Nil.

5 CONFIRMATION OF MINUTES

5.1 Confirmation of Minutes

Moved: Rebecca Newman
Seconded: Alderman Henderson

THAT the minutes of the Palmerston Animal Management Advisory Committee Meeting held on Wednesday, 25 November 2020 pages 116 to 119, be confirmed.

CARRIED PAMAC9/0199 – 24/02/2021

5.2 Business Arising from Previous Meeting

Nil

6 CORRESPONDENCE

Nil.

7 OFFICER REPORTS

7.1 Receive and Note Reports

7.1.1 Animal Education October to December Update

PAMAC9/039

Moved: Jill Pascoe
Seconded: Rebecca Newman

Initials:

THAT Report Number PAMAC9/039 entitled Animal Education October to December Update be received and noted.

CARRIED PAMAC9/0200 – 24/02/2021

(Andrea Ruske entered the meeting at 5.08pm)

8 OTHER BUSINESS

8.1 Palmerston Animal Management Advisory Committee Expressions of Interest

Nil.

9 NEXT MEETING

Moved: Jill Pascoe
Seconded: Mayor Pascoe-Bell

THAT the next meeting for the Palmerston Animal Management Advisory Committee be held on Wednesday, 31 March 2021 at 5:00pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston.

CARRIED PAMAC9/0201 – 24/02/2021

10 CLOSURE OF MEETING

Moved: Rebecca Newman
Seconded: Jill Pascoe

THAT the Palmerston Animal Management Advisory Committee Meeting, held in the Council Chambers, Civic Plaza, Palmerston on Wednesday, 24 February 2021 closed at 5:15pm.

CARRIED PAMAC9/0202 – 24/02/2021

Chair

Print Name

Date

Initials: