

AGENDA

Community Safety Advisory Committee Meeting

Tuesday 26 March 2024

The Advisory Committee Meeting of the City of Palmerston will be held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston, NT 0830 commencing at 5:30 PM.

Advisory Committee business papers can be viewed on the City of Palmerston website www.palmerston.nt.gov.au or at the Council Office located: Civic Plaza, 1 Chung Wah Terrace, Palmerston NT 0830.



LUCCIO CERCARELLI
CHIEF EXECUTIVE OFFICER



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- 1 ACKNOWLEDGEMENT OF COUNTRY
- 2 OPENING OF MEETING
- 3 APOLOGIES AND LEAVE OF ABSENCE
 - 3.1 Apologies
 - 3.2 Leave of Absence Previously Granted
 - 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 Community Safety Advisory Committee Meeting held on Tuesday 28 November 2023 pages 17 to 21 be confirmed.
 - 5.2 Business Arising from Previous Meeting
- 6 DEPUTATIONS AND PRESENTATIONS
- 7 CONFIDENTIAL ITEMS
 - 7.1 Moving Confidential Items into Open
 - 7.2 Moving Open Items into Confidential
 - 7.3 Confidential Items

Nil
- 8 OFFICER REPORTS

COMMITTEE REPORT

Committee Meeting

AGENDA ITEM:	8.1.1
REPORT TITLE:	Community Safety Advisory Committee Meeting Schedule 2024
MEETING DATE:	Tuesday 26 March 2024
AUTHOR:	Executive Assistant to General Manager Community, Georgina Davies
APPROVER:	Acting General Manager Community, Emma Blight

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This Report seeks feedback from the Community Safety Advisory Committee on the recommended changes to the Committee Meeting Schedule for 2024.

KEY MESSAGES

- The Terms of Reference requires the Committee to hold meetings quarterly, or more frequently as required.
- Council endorsed the Community Safety Advisory Committee Meeting minutes at the First Ordinary Council Meeting of 12 December 2023, requesting options for the Advisory Committee schedules.
- Council seeks Committee feedback on a change to the meeting schedule for 2024.
- City of Palmerston has taken into consideration the dates and timings of other Council Advisory Committee meetings, Council meetings, Council workshops, Council Network Meetings and Council External Committee Meetings.
- The previous schedule endorsed by the Community Safety Advisory Committee confirmed the meetings be held at 5:30pm in Council Chambers.

RECOMMENDATION

1. THAT Report entitled Community Safety Advisory Committee Meeting Schedule 2024 be received and noted.
2. THAT the Community Safety Advisory Committee endorse Council's recommendation to amend the committee meeting schedule being:
 - a. 5.30pm Tuesday 14 May 2024 in Council Chambers
 - b. 5.30pm Tuesday 13 August 2024 in Council Chambers
 - c. 5.30pm Tuesday 12 November 2024 in Council Chambers

BACKGROUND

The Community Safety Advisory Committee (Committee) is established as an Advisory Committee to the City of Palmerston Council pursuant Section 82(1) to the *Northern Territory Local Government Act (the Act)* and the *Local Government (Accounting) Regulations*.

The Committee's Terms of Reference (ToR) were endorsed by Council in accordance with Section 83(4) of the *Local Government Act 2019* at the 2nd Ordinary Council meeting in March 2022. The Terms of Reference require the Committee to hold meetings quarterly, or more frequently as required.

During the final Committee meeting for 2023, committee members discussed the 2024 meeting schedule and recommended to council the schedule to be endorsed. At the Committee meeting of 28 November 2023 Committee made the following decisions:

8.1.1 Committee Schedule of Meetings 2024

Moved: Jessica Porter

Seconded: Fran Ramsey

- 1. THAT Report entitled Community Safety Advisory Committee Meeting Schedule 2024 be received and noted.*
- 2. THAT meetings for 2024 be scheduled quarterly as follows:*
 - a. 5.30pm Tuesday 26 March 2024 in Council Chambers*
 - b. 5.30pm Tuesday 25 June 2024 in Council Chambers*
 - c. 5.30pm Tuesday 24 September 2024 in Council Chambers*
 - d. 5.30pm Tuesday 26 November 2024 in Council Chambers*

CARRIED CSAC10/31 - 28/11/2023

Following the Community Safety Advisory Committee meeting of 28 November 2023, Council endorsed the Community Safety Advisory Committee Meeting minutes at the First Ordinary Council Meeting of 12 December 2023. During the discussion of General Business, the Council made the following decision:

17.1 Advisory Committee Meeting Dates 2024

Moved: Councillor Fraser

Seconded: Mayor Pascoe-Bell

- 1. THAT a report be prepared for the January 2024 Council Ordinary meeting considering options for meeting dates in 2024 for City of Palmerston Advisory Committees.*

CARRIED 10/1145 -12/12/2023

Following Council's request for consideration of options for committee meeting dates in 2024, at the Second Ordinary Council Meeting of 20 February 2024 Council made the following decisions:

13.1.1 Advisory Committee Meeting Schedule 2024

Moved: Councillor Morrison

Seconded: Councillor Hale

- 1. THAT Report entitled Advisory Committee Meeting Schedule 2024 be received and noted.*
- 2. THAT Council seek feedback for the relevant Advisory Committees at the March 2024 meeting, on a change to the meeting schedule for 2024 as follows:*
 - a. Vibrant Economy Advisory Committee meetings being:*
 - i. 5.30pm Monday 29 April 2024 in Council Chambers*
 - ii. 5.30pm Monday 22 July 2024 in Council Chambers*
 - iii. 5.30pm Monday 21 October 2024 in Council Chambers*
 - b. Community Safety Advisory Committee meetings being:*

- i. 5.30pm Tuesday 14 May 2024 in Council Chambers*
- ii. 5.30pm Tuesday 13 August 2024 in Council Chambers*
- iii. 5.30pm Tuesday 12 November 2024 in Council Chambers*

c. Community Wellbeing Advisory Committee meetings being:

- i. 5.30pm Thursday 13 June 2024 in Council Chambers*
- ii. 5.30pm Thursday 12 September 2024 in Council Chambers*
- iii. 5.30pm Thursday 5 December 2024 in Council Chambers*

- 3. THAT a further report be present to Council regarding the Advisory Committee meeting schedule for 2024, following feedback from the Advisory Committees, at or before the Second Ordinary Meeting in April 2024.*

CARRIED 10/1207 - 20/02/2024

This report seeks the Community Safety Advisory Committee's endorsement of the recommended amended meeting schedule.

DISCUSSION

The Community Safety Advisory Committee Terms of Reference requires the Committee Meetings to be held quarterly. The proposed schedule is as follows:

- 5:30pm Tuesday, 14 May 2024 in Council Chambers
- 5:30pm Tuesday, 13 August 2024 in Council Chambers
- 5:30pm Tuesday, 12 November 2024 in Council Chambers

The above dates have been endorsed by Council.

City of Palmerston staff have taken into consideration the dates and timings of other Council Advisory Committee meetings, Council meetings, Council workshops, Council Network Meetings and Council External Committee Meetings, whilst ensuring that the Committee is able to meet obligations under the terms of reference. The previous schedule endorsed by the Community Safety Advisory Committee confirmed the meetings be held at 5:30pm in Council Chambers.

CONSULTATION PROCESS

Advisory committee dates were presented to council at the First Ordinary Council Meeting of 12 December 2023. A further review was conducted at the Second Ordinary Council Meeting of 20 February 2024 and the proposed dates were endorsed by council for feedback from the committee.

POLICY IMPLICATIONS

The current Terms of Reference require the Community Safety Advisory Committee to meet a minimum of four (4) times per year.

No change to the Terms of Reference is being recommended in this report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this Report.



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RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This Report addresses the following City of Palmerston Strategic Risks:

6. **Governance**
Failure to effectively govern.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

The Community Safety Advisory Committee continues to address the outcomes and objectives of environment sustainability outlined in the Community Plan.

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

Nil

COMMITTEE REPORT

Committee Meeting

AGENDA ITEM:	8.1.2
REPORT TITLE:	The Terms of Reference Review - Safety Advisory Committee 2024
MEETING DATE:	Tuesday 26 March 2024
AUTHOR:	Executive Assistant to General Manager Community, Georgina Davies
APPROVER:	Acting General Manager Community, Emma Blight

COMMUNITY PLAN

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

PURPOSE

This report seeks to provide an update to the Committee on findings following a review of the Terms of Reference.

KEY MESSAGES

- The City of Palmerston Advisory Committee Terms of Reference and membership profiles are to be reviewed every two years to ensure they are consistent, compliant and reflect the Council's interest.
- The Community Safety Advisory Committee Terms of Reference provide members with a common understanding of the purpose, objectives, and scope of the Committee.
- The current Terms of Reference have been reviewed earlier than the required timeframe due to minor improvements to phrasing regarding the quorum for clarity, and updates to the responsible officer's title.
- There are no changes recommended to the membership profile and this will occur prior to the scheduled review in July 2025.

RECOMMENDATION

1. THAT Report entitled The Terms of Reference Review - Safety Advisory Committee 2024 be received and noted.
2. THAT the Community Safety Advisory Committee recommend to the Council:
 - a. THAT Council endorse the reviewed Terms of Reference for the Community Safety Advisory Committee as **Attachment 8.1.2.3**.

BACKGROUND

The Community Safety Advisory Committee (CSAC) was established at the 2nd Ordinary Council Meeting of 15 March 2022 as an advisory body to Council. This establishment followed the abolishment and subsequent restructuring of Palmerston Safe Communities and Palmerston Animal Management to be reformed as Network groups. CSAC undertakes its role offering strategic advice to Council relating to the actions and priorities of the community, social and animal wellbeing issues by helping the Council identify, articulate, and respond appropriately.

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The Advisory Committees have no delegated authority and are intended to inform Council on Committee related issues.

In September 2022 Council endorsed memberships for the Palmerston Safety Advisory Committee.

At the 1st Ordinary Council Meeting of 6 June 2023, Council made the following decision:

13.1.1 Review of Council Committee Memberships - June 2023

Moved: Councillor Fraser

Seconded: Councillor Hale

6. THAT Council make the following appointments to the Community Safety Advisory Committee:

- I. THAT Councillor Hale be appointed as Chair to the Community Safety Advisory Committee for the period of 1 July 2023 to 30 June 2024.*
- II. THAT Councillor Morrison and Councillor Garden be appointed to the Community Safety Advisory Committee for the period of 1 July 2023 to 30 June 2024.*
- III. THAT all other Councillors be appointed as alternate members to the Community Safety Advisory Committee for the period of 1 July 2023 to 30 June 2024.*

CARRIED 10/862 - 6/06/2023

This report seeks to provide an update to the Committee on findings following a review of the Terms of Reference (**Attachment 8.1.2.1**).

DISCUSSION

The CSAC Terms of Reference and membership profile undergo review every two (2) years from commencement of the Committee term, or as required.

The Terms of Reference have been reviewed by Council Staff and minor changes to phrasing, punctuation and an update to the responsible officer is recommended. A change to the definition of Quorum has been made to align with legislation more closely utilising similar wording. These changes are marked in **Attachment 8.1.2.2**, and the recommended policy as Attachment **8.1.2.3**.

There are no changes recommended to the membership profile and this will occur prior to the scheduled review in July 2025.

This Report seeks endorsement for a recommendation to Council from the Community Safety Advisory Committee to endorse the proposed amendments of the Terms of Reference.

CONSULTATION PROCESS

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

- Acting General Manager Community

POLICY IMPLICATIONS

There are no policy implications for this Report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this Report.

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RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This Report addresses the following City of Palmerston Strategic Risks:

4. Inclusion, Diversity and Access
Failure to balance meeting needs of Palmerston's cultural mosaic
6. Governance
Failure to effectively govern.

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

1. 20220705 Terms of Reference Community Safety Advisory Committee [8.1.2.1 - 3 pages]
2. 20240320 Terms of Reference Community Safety Advisory Committee (1) [8.1.2.2 - 3 pages]
3. 20240320 Terms of Reference Community Safety Advisory Committee (2) [8.1.2.3 - 3 pages]



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TERMS OF REFERENCE

Committee Name:	Community Safety Advisory Committee		
Type:	Council Advisory Committee		
Responsible Officer:	General Manager Community and Culture		
Owner:	Chief Executive Officer		
Approval Date:	4 July 2023	Next Review Date:	July 2025
Records Number:	545163	Council Decision:	10/906

1 PURPOSE

The Community Safety Advisory Committee (CSAC) provides strategic advice to Council on a range of community, social and animal wellbeing issues that may influence the Palmerston By-Laws, Council services and program development. The Committee assists Council to identify, articulate and respond appropriately to new and emerging issues.

2 COMMITTEE OBJECTIVES

- 2.1 Provide advice to Council about strategies, programs and initiatives which improve the safety, wellbeing, and interests of the Palmerston community, in accordance with legislation and council policy.
- 2.2 Consider and endorse recommendations from its associated Networks to put forward for Council's consideration.
- 2.3 Provide a structure through which the views and interests of the Palmerston community and interested parties can be articulated of the attention of Council on safety and wellbeing matters.
- 2.4 Increase partnerships in place between the Council and other levels of government with seek to address crime and improve animal welfare.
- 2.5 Draw on and share the expertise of specialists, as appropriate.

3 AUTHORITY/DELEGATION

The CSAC is an advisory body to Council and does not hold any decision-making powers. The Committee is responsible to recommend a course of action to Council on matters falling within its function.

4 MEMBERSHIP

- 4.1 Members are appointed by the Council.
- 4.2 The City of Palmerston shall appoint suitably qualified individuals or individuals with a special interest to be members of the Committee based on its purpose, being:
 - One Councillor as Chair
 - Two Councillor as a Member
 - One Community Member
 - One Senior Community Representative
 - One Youth Community Member
 - One Representative of the Chief Minister and Cabinet
 - One Representative of Northern Territory Families
 - One Representative of the Northern Territory Police
 - One First Nations Representative



TERMS OF REFERENCE

- One Representative from a relevant business association.

- 4.3 The Chairperson will be a Councillor holding membership to the committee.
4.4 The Mayor will be ex-officio member.
4.5 Council staff attend in an advisory capacity, to provide information and updates. Staff do not hold voting rights and do not participate in group decisions unless specified.

5 TERMS AND VACANCIES

- 5.1 Membership term of a Councillor will be for one year, by nomination at an Ordinary Council Meeting.
5.2 Membership term for all other members will be for two years.
5.3 Council officers will invite relevant government organisations to hold representation on the Committee.
5.4 Representatives shall be nominated by the appointed organisations.
5.5 A member who fails to attend three consecutive meetings without providing apology is considered to have resigned their membership.
5.6 The Terms of Reference and membership profile will be reviewed by the Committee every two years from the commencement of the Committee's term, or as required.

6 COMMUNITY MEMBER SELECTION PROCESS

- 6.1 In considering expressions of interest, applicants are expected to:
- Hold a special interest in community well-being, safety and social and animal wellbeing issues.
 - Contribute positively to the work of the Committee by actively participating in meetings.
 - Represent community interest as a whole and not as individual interest.
 - Be respectful of diverse views and work collaboratively.
 - Community members must be Palmerston residents.
- 6.2 Community representatives shall be considered by submitting an Expression of Interest Form available on the Council website.
6.3 Submissions received will be submitted to a confidential Meeting of Council for consideration.

7 MEETINGS

- 7.1 **Notice of Meetings and Business Papers**
The Chief Executive Officer will convene meetings and will distribute business papers no later than three business days prior to a meeting.
- 7.2 **Regularity**
Meetings will be held quarterly, or more frequently as required.
- 7.3 **Attendance**
7.3.1 Meetings are open to the public unless confidential business is being considered.
7.3.2 Guests or Network Members may be invited to attend meetings by the Advisory Committee to provide advice or update on relevant matters.
- 7.4 **Quorum**
One Councillor as the Chairperson and half plus one of the overall members.
- 7.5 **Chairperson Responsibilities**
7.5.1 To ensure meetings are conducted in accordance with the *Palmerston (Procedure for Meeting) By-Laws* legislation, Council policies and according to the agenda.
7.5.2 Ensuring all discussion items end with a decision, action, or appropriate outcomes.



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TERMS OF REFERENCE

7.5.3 Should the Chairperson be unable to attend a meeting, the alternate Councillor or Mayor shall perform the duties of Chairperson and if unavailable the meeting will be postponed.

7.6 Voting

7.6.1 For voting purposes, the Chairperson shall accept motions moved and seconded by members of the Committee, by show of hands.

7.6.2 A Committee decision is by majority vote of voting members present at a meeting.

7.7 Minutes

Meeting minutes will be distributed to members within ten working days after a meeting and presented to Council at its next Ordinary Meeting.

8 CONDUCT

8.1 Conflicts of interest

Committee members must declare any real or perceived conflicts of interest when joining the Committee, annually and at the start of each meeting before discussion of the relevant agenda items on the approved Council form.

8.2 Code of Conduct

All Committee Members are required to abide with Schedule 1 of the *Local Government Act 2019 Code of Conduct for Elected Members and Committee Members*.

8.3 Committee Representation

Committee members must not speak on behalf of Council or the Committee without the approval of the Chief Executive Officer. Failure to abide by this requirement will constitute grounds for removal from the Committee.

9 PERFORMANCE REVIEW

The Committee will provide an annual summary of the Committees performance to Council prior to the end of financial year.



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TERMS OF REFERENCE

Committee Name:	Community Safety Advisory Committee		
Type:	Council Advisory Committee		
Responsible Officer:	General Manager Community and Culture		
Owner:	Chief Executive Officer		
Approval Date:	4 July 2023	Next Review Date:	July 2025
Records Number:	545163	Council Decision:	10/906

1 PURPOSE

The Community Safety Advisory Committee (CSAC) provides strategic advice to Council on a range of community, social and animal wellbeing issues that may influence the Palmerston By-Laws, Council services and program development. The Committee assists Council to identify, articulate and respond appropriately to new and emerging issues.

2 COMMITTEE OBJECTIVES

- 2.1 Provide advice to Council about strategies, programs and initiatives which improve the safety, wellbeing, and interests of the Palmerston community, in accordance with legislation and council policy.
- 2.2 Consider and endorse recommendations from its associated Networks to put forward for Council's consideration.
- 2.3 Provide a structure through which the views and interests of the Palmerston community and interested parties can be articulated of the attention of Council on safety and wellbeing matters.
- 2.4 Increase partnerships in place between the Council and other levels of government ~~with~~ seek to address crime and improve animal welfare.
- 2.5 Draw on and share the expertise of specialists, as appropriate.

3 AUTHORITY/DELEGATION

The CSAC is an advisory body to Council and does not hold any decision-making powers. The Committee is responsible to recommend a course of action to Council on matters falling within its function.

4 MEMBERSHIP

- 4.1 Members are appointed by the Council.
- 4.2 The City of Palmerston shall appoint suitably qualified individuals or individuals with a special interest to be members of the Committee based on its purpose, being:
 - One Councillor as Chair
 - Two Councillor as a Member
 - One Community Member
 - One Senior Community Representative
 - One Youth Community Member
 - One Representative of the Chief Minister and Cabinet
 - One Representative of Northern Territory Families
 - One Representative of the Northern Territory Police
 - One First Nations Representative



TERMS OF REFERENCE

- One Representative from a relevant business association.

- 4.3 The Chairperson will be a Councillor holding membership to the committee.
- 4.4 The Mayor will be ex-officio member.
- 4.5 Council staff attend in an advisory capacity, to provide information and updates. Staff do not hold voting rights and do not participate in group decisions unless specified.

5 TERMS AND VACANCIES

- 5.1 Membership term of a Councillor will be for one year, by nomination at an Ordinary Council Meeting.
- 5.2 Membership term for all other members will be for two years.
- 5.3 Council officers will invite relevant government organisations to hold representation on the Committee.
- 5.4 Representatives shall be nominated by the appointed organisations.
- 5.5 A member who fails to attend three consecutive meetings without providing apology is considered to have resigned their membership.
- 5.6 The Terms of Reference and membership profile will be reviewed by the Committee every two years from the commencement of the Committee's term, or as required.

6 COMMUNITY MEMBER SELECTION PROCESS

- 6.1 In considering expressions of interest, applicants are expected to:
 - Hold a special interest in community well-being, safety and social and animal wellbeing issues.
 - Contribute positively to the work of the Committee by actively participating in meetings.
 - Represent community interest as a whole and not as individual interest.
 - Be respectful of diverse views and work collaboratively.
 - Community members must be Palmerston residents.
- 6.2 Community representatives shall be considered by submitting an Expression of Interest Form available on the Council website.
- 6.3 Submissions received will be submitted to a confidential Meeting of Council for consideration.

7 MEETINGS

- 7.1 **Notice of Meetings and Business Papers**
The Chief Executive Officer will convene meetings and will distribute business papers no later than three business days prior to a meeting.
- 7.2 **Regularity**
Meetings will be held quarterly, or more frequently as required.
- 7.3 **Attendance**
 - 7.3.1 Meetings are open to the public unless confidential business is being considered.
 - 7.3.2 Guests or Network Members may be invited to attend meetings by the Advisory Committee to provide advice or update on relevant matters.
- 7.4 **Quorum**
One Councillor as the Chairperson and half plus one of the overall members. Quorum consists of a majority of its members holding office at the time of the meeting, maintaining one Councillor as the Chairperson
- 7.5 **Chairperson Responsibilities**



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TERMS OF REFERENCE

- 7.5.1 To ensure meetings are conducted in accordance with the *Palmerston (Procedure for Meeting) By-Laws* legislation, Council policies and according to the agenda.
- 7.5.2 Ensuring all discussion items end with a decision, action, or appropriate outcomes.
- 7.5.3 Should the Chairperson be unable to attend a meeting, the alternate Councillor or Mayor shall perform the duties of Chairperson and if unavailable the meeting will be postponed.
- 7.6 **Voting**
 - 7.6.1 For voting purposes, the Chairperson shall accept motions moved and seconded by members of the Committee, by show of hands.
 - 7.6.2 A Committee decision is by majority vote of voting members present at a meeting.
- 7.7 **Minutes**

Meeting minutes will be distributed to members within ten working days after a meeting and presented to Council at its next Ordinary Meeting.

8 CONDUCT

- 8.1 **Conflicts of interest**

Committee members must declare any real or perceived conflicts of interest when joining the Committee, annually and at the start of each meeting before discussion of the relevant agenda items on the approved Council form.
- 8.2 **Code of Conduct**

All Committee Members are required to abide with Schedule 1 of the *Local Government Act 2019 Code of Conduct for Elected Members and Committee Members*.
- 8.3 **Committee Representation**

Committee members must not speak on behalf of Council or the Committee without the approval of the Chief Executive Officer. Failure to abide by this requirement will constitute grounds for removal from the Committee.

9 PERFORMANCE REVIEW

The Committee will provide an annual summary of the Committees performance to Council prior to the end of financial year.



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TERMS OF REFERENCE

Committee Name:	Community Safety Advisory Committee		
Type:	Council Advisory Committee		
Responsible Officer:	General Manager Community		
Owner:	Chief Executive Officer		
Approval Date:		Next Review Date:	July 2025
Records Number:		Council Decision:	

1 PURPOSE

The Community Safety Advisory Committee (CSAC) provides strategic advice to Council on a range of community, social and animal wellbeing issues that may influence the Palmerston By-Laws, Council services and program development. The Committee assists Council to identify, articulate and respond appropriately to new and emerging issues.

2 COMMITTEE OBJECTIVES

- 2.1 Provide advice to Council about strategies, programs and initiatives which improve the safety, wellbeing, and interests of the Palmerston community, in accordance with legislation and council policy.
- 2.2 Consider and endorse recommendations from its associated Networks to put forward for Council's consideration.
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- 2.4 Increase partnerships in place between the Council and other levels of government which seek to address crime and improve animal welfare.
- 2.5 Draw on and share the expertise of specialists, as appropriate.

3 AUTHORITY/DELEGATION

The CSAC is an advisory body to Council and does not hold any decision-making powers. The Committee is responsible to recommend a course of action to Council on matters falling within its function.

4 MEMBERSHIP

- 4.1 Members are appointed by the Council.
- 4.2 The City of Palmerston shall appoint suitably qualified individuals or individuals with a special interest to be members of the Committee based on its purpose, being:
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 - One Representative of Northern Territory Families
 - One Representative of the Northern Territory Police
 - One First Nations Representative



TERMS OF REFERENCE

- One Representative from a relevant business association.

- 4.3 The Chairperson will be a Councillor holding membership to the committee.
- 4.4 The Mayor will be ex-officio member.
- 4.5 Council staff attend in an advisory capacity, to provide information and updates. Staff do not hold voting rights and do not participate in group decisions unless specified.

5 TERMS AND VACANCIES

- 5.1 Membership term of a Councillor will be for one year, by nomination at an Ordinary Council Meeting.
- 5.2 Membership term for all other members will be for two years.
- 5.3 Council officers will invite relevant government organisations to hold representation on the Committee.
- 5.4 Representatives shall be nominated by the appointed organisations.
- 5.5 A member who fails to attend three consecutive meetings without providing apology is considered to have resigned their membership.
- 5.6 The Terms of Reference and membership profile will be reviewed by the Committee every two years from the commencement of the Committee's term, or as required.

6 COMMUNITY MEMBER SELECTION PROCESS

- 6.1 In considering expressions of interest, applicants are expected to:
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 - Contribute positively to the work of the Committee by actively participating in meetings.
 - Represent community interest as a whole and not as individual interest.
 - Be respectful of diverse views and work collaboratively.
 - Community members must be Palmerston residents.
- 6.2 Community representatives shall be considered by submitting an Expression of Interest Form available on the Council website.
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7 MEETINGS

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- 7.3 **Attendance**
 - 7.3.1 Meetings are open to the public unless confidential business is being considered.
 - 7.3.2 Guests or Network Members may be invited to attend meetings by the Advisory Committee to provide advice or update on relevant matters.
- 7.4 **Quorum**
Quorum consists of a majority of its members holding office at the time of the meeting, maintaining one Councillor as the Chairperson
- 7.5 **Chairperson Responsibilities**



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TERMS OF REFERENCE

- 7.5.1 To ensure meetings are conducted in accordance with the *Palmerston (Procedure for Meeting) By-Laws* legislation, Council policies and according to the agenda.
- 7.5.2 Ensuring all discussion items end with a decision, action, or appropriate outcomes.
- 7.5.3 Should the Chairperson be unable to attend a meeting, the alternate Councillor or Mayor shall perform the duties of Chairperson and if unavailable the meeting will be postponed.
- 7.6 **Voting**
 - 7.6.1 For voting purposes, the Chairperson shall accept motions moved and seconded by members of the Committee, by show of hands.
 - 7.6.2 A Committee decision is by majority vote of voting members present at a meeting.
- 7.7 **Minutes**

Meeting minutes will be distributed to members within ten working days after a meeting and presented to Council at its next Ordinary Meeting.

8 CONDUCT

- 8.1 **Conflicts of interest**

Committee members must declare any real or perceived conflicts of interest when joining the Committee, annually and at the start of each meeting before discussion of the relevant agenda items on the approved Council form.
- 8.2 **Code of Conduct**

All Committee Members are required to abide with Schedule 1 of the *Local Government Act 2019 Code of Conduct for Elected Members and Committee Members*.
- 8.3 **Committee Representation**

Committee members must not speak on behalf of Council or the Committee without the approval of the Chief Executive Officer. Failure to abide by this requirement will constitute grounds for removal from the Committee.

9 PERFORMANCE REVIEW

The Committee will provide an annual summary of the Committees performance to Council prior to the end of financial year.

COMMITTEE REPORT

Committee Meeting

AGENDA ITEM:	8.2.1
REPORT TITLE:	Crime Prevention Through Environmental Design Audit
MEETING DATE:	Tuesday 26 March 2024
AUTHOR:	City Activation Manager, Matthew McNamara
APPROVER:	Deputy Chief Executive Officer, Amelia Vellar

COMMUNITY PLAN

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

PURPOSE

This Report seeks to inform the Committee about the Crime Prevention Through Environment Design audit that City of Palmerston are conducting in the Palmerston Central Business District.

KEY MESSAGES

- The Department of Chief Minister and Cabinet and City of Palmerston are partnering on a Crime Prevention Through Environment Design (CPTED) audit for the Palmerston Central Business District (CBD) and Goyder Square, funded with \$75,000 allocated by Department of Chief Minister and Cabinet.
- The primary aim is to develop a comprehensive report leveraging CPTED principles to guide revitalization and gentrification, aiming to reduce criminal and anti-social behaviour while enhancing commercial sustainability
- The project will produce a CPTED Audit Report, stakeholder communications summary, compliance overview, documentation of current security measures, crime data analysis, application of CPTED principles, prioritized security recommendations, cost estimates, monitoring and evaluation plan, and a final presentation and training plan.
- A Request for Quote process has commenced, seeking expressions of interest from external consultants who have the capability to complete this project. The Request for Quote closed on 22 March 2024 with staff currently working on the selection.
- The timeframe for delivery of the report is 30 June 2024.

RECOMMENDATION

THAT Report entitled Crime Prevention Through Environmental Design Audit be received and noted.

BACKGROUND

The Department of Chief Minister and Cabinet (DCM&C) approached City of Palmerston, seeking to collaborate on a Crime Prevention Through Environment Design (CPTED) audit and subsequent report for the Palmerston Central Business District (CBD), an area inclusive of Goyder Square.

Funding amounting to \$75,000 has been allocated from DCM&C, with the report due for completion by 30 June 2024.

The key objective of this project is to develop a comprehensive report, leveraging CPTED principles, to guide the revitalisation and gentrification of the Palmerston CBD, including Goyder Square. The aim is to decrease the likelihood of criminal and anti-social behaviour while bolstering the sustainability of individual commercial enterprises within the vicinity.

The primary deliverable from this project is a comprehensive report that furnishes explicit recommendations. The project will provide, as a minimum, the following outcomes:

- CPTED Audit Report – a comprehensive report outlining the findings, analysis and recommendations.
- Stakeholder communications – a detailed summary of stakeholder engagement efforts and feedback.
- Legal and regulatory compliance overview – outline how the audit adheres to local, state and federal legislation and regulations.
- Current security measures documentation – present existing security measures, including lighting, landscaping, access controls etc.
- Crime data analysis summary – summarise key points from the crime data analysis, highlighting trends and patterns.
- CPTED Principles application overview – briefly explain the application of CPTED principles in the audit.
- Recommendations Summary – a concise list of prioritised recommendations for enhancing security. Innovation, contemporary and customised are key themes.
- Cost Estimates Overview – provide an overview of estimated costs associated with recommended changes. This needs to clearly outline the solution, cost and benefit.
- Monitoring and Evaluation overview – Outline the proposed monitoring and evaluation plan with key performance indicators.
- Final Presentation and Training Plan – provide details on the planned presentation to Council and training for relevant personnel.

DISCUSSION

The City Activation Team have initiated the CPTED audit process. This involved:

- Collaborating with the Assets Officer to create a map in Council's mapping system, ARCGIS, delineating the designated whilst also capable of housing multiple layers of information. This involved coordinating with the CCTV Unit of the Joint Emergency Services Communications Centre, Police Fire and Emergency Services (PFES) to integrate relevant data onto the map. Additionally, meetings were conducted with FibreSense to develop an accurate vehicle heat map of the area.
- Conducting research to identify suitable companies capable of providing CPTED audits and subsequently initiating a Request for Quote (RFQ) process to solicit expressions of interest from external consultants possessing the requisite expertise for the task. The RFQ closed on 22 March 2024 and Council Officers are currently engaged in the selection process.
- Exploring the possibility of deploying pedestrian counting technology within the designated audit area.

A CPTED Project Committee was formed, chaired by City of Palmerston with membership being:

Position	Organisation Represented
City Activation Manager (Chair)	City of Palmerston
City Activation Officer (Minutes)	City of Palmerston
Regional Director, Greater Darwin	Chief Minister and Cabinet
Regional Development Officer, Greater Darwin	Chief Minister and Cabinet
Director Portfolio Management	Department of Infrastructure, Planning and Logistics
Director of Strategic Infrastructure Planning	Department of Infrastructure, Planning and Logistics
A/Regional Manager Greater Darwin, Small Business Champions	Department of Industry, Tourism and Trade

During the initial meeting of the Committee, discussions centred around defining the appropriate Terms of Reference, establishing the project scope and timelines, outlining objectives for funding agreements, and reaching a consensus to incorporate provisions offering alternatives to standard security recommendations aligned with CPTED principles. The committee also agreed upon a project completion time, setting it for 30 June 2024.

As the project progresses, reports will be provided to Council and, as required, to the Committee.

CONSULTATION PROCESS

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

- Civil Operations Team Leader – Infrastructure
- Asset Officer – Infrastructure
- City Activation Officer

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

- Department of Chief Minister and Cabinet
- CCTV Unit, Joint Emergency Services Communications Centre, PFES
- FiberSense

POLICY IMPLICATIONS

There are no policy implications for this Report.

BUDGET AND RESOURCE IMPLICATIONS

The total cost of the project is being funded by Department of Chief Minister and Cabinet as follows:

- Crime Prevention Through Environmental Design (CPTED) review of Goyder Square Precinct - \$75,000 with an expected completion date of 30 June 2024.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

By addressing risk, legal, and legislative implications proactively, council can ensure that the CPTED audit leads to an effective and legally compliant intervention that enhances community safety while minimising potential liabilities and legal risks.

This Report addresses the following City of Palmerston Strategic Risks

1. **Community Safety**
Failure of Council to effectively plan and deliver its role in community safety.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

In addition to its primary focus on crime prevention and community safety, the principles of CPTED can have significant implications on environmental sustainability. Through promoting efficient land use, integrating green infrastructure and encourage sustainable transport options, CPTED Designs with broader environmental objectives.

Incorporating green spaces and landscaping not only enhances the aesthetic appeal of an area but also fosters biodiversity. Furthermore, measures to reduce litter and vandalism, often emphasised in CPTED strategies, contribute to a cleaner environment and less waste accumulation.

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.



A Place for People

ATTACHMENTS

Nil

COMMITTEE REPORT

Committee Meeting

AGENDA ITEM:	8.2.2
REPORT TITLE:	Community Safety Advisory Committee - Network Update
MEETING DATE:	Tuesday 26 March 2024
AUTHOR:	Community Development Officer, Kate Townsend
APPROVER:	Acting General Manager Community, Emma Blight

COMMUNITY PLAN

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

PURPOSE

This Report seeks to provide the Community Safety Advisory Committee with a Palmerston Safe Communities Network update.

KEY MESSAGES

- The first Safe Communities Network Meeting for 2024 was held on 1 February 2024 at the Palmerston Library Community Room.
- Council Officers sent invitations to 31 stakeholders, with 18 attendees from 16 organisations including Council present at the meeting.

RECOMMENDATION

THAT Report entitled Community Safety Advisory Committee - Network Update be received and noted.

BACKGROUND

In March 2022 a review of Advisory Committees took place in response to the commencement of the 10th Council of the City of Palmerston. Following this review, the Palmerston Safe Communities Network (PSCN) was established. This Network is Chaired by Councillor Henderson with membership comprising of community members and key stakeholders as invited by the CEO in consultation with the Chair. Council staff attend these meetings in an advisory capacity.

As per the Network Charter adopted by Council on 15 March 2022 PSCN has six objectives as follows:

- Contribute to the research, development, and implementation of relevant Council strategies, plans and by-laws.
- Establish effective partnerships with key stakeholders engaged in injury and crime prevention in Palmerston.
- Ensure access to information, specialist advice and support for PSCN partners relating to injury prevention and safety issues.
- Inform, lobbying and influencing relevant key organisations to improve levels of safety in Palmerston.
- Prioritising injury and safety issues for Palmerston and consider campaigns, injury prevention and safety promotion programs and projects in response to local needs and issues.
- Participate in event planning, consultation processes, and other forms of engagement relating to relevant issues.

DISCUSSION

The most recent meeting of the PSCN occurred on Thursday 1 February with attendees from a cross section of service providers and Councillor Henderson as Chair of the meeting.

In the meeting, members shared information regarding their organisations and identified possible collaborative opportunities. A considerable amount of discussion at the meeting was in relation to domestic violence and the recent dramatic increases in occurrence which can be attributed to regular increases over the summer months across Australia but may also have some association to recent changes in alcohol laws in communities. The YWCA and Salvation Army currently receive funding to deliver the Keeping Women Safe in their Homes program which can be used for the installation of CCTV and security screens.

Transit safety is an ongoing issue with both reports of onboard safety, as well as rock throwing also presenting a danger to drivers, passengers, and other road users.

CONSULTATION PROCESS

There was no consultation required during the preparation of this Report.

POLICY IMPLICATIONS

There are no policy implications for this Report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this Report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

That information of safety issues negatively impacting community members mental and physical health and well-being raised at the Network meeting are not accurately relayed to the Community Safety Advisory Committee.

This Report addresses the following City of Palmerston Strategic Risks:

1. **Community Safety**
Failure of Council to effectively plan and deliver its role in community safety.

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

Nil

COMMITTEE REPORT

Committee Meeting

AGENDA ITEM:	8.2.3
REPORT TITLE:	Animal Management - Update
MEETING DATE:	Tuesday 26 March 2024
AUTHOR:	Executive Assistant to General Manager Community, Georgina Davies
APPROVER:	Acting General Manager Community, Emma Blight

COMMUNITY PLAN

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

PURPOSE

This Report provides an update to the Community Safety Advisory Committee (Committee) on current animal management statistics and re-drafting of the City of Palmerston (Animal Management) By-Laws.

KEY MESSAGES

- City of Palmerston is committed to providing quality animal management services to our community.
- The current dog registration total provides 5031 dogs registered withing the municipality, currently providing 472 more dogs registered for the same time of year.
- 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.
- Findings from the 2021 community consultation have guided the draft By-Laws to provide a contemporary and modernised approach to the regulation and management of animals within the Palmerston municipality.
- City of Palmerston facilitated community consultation on its updated draft Palmerston (Animal Management) By-Laws from 17 January 2024 until 12 February 2024.
- The process included information provided to the community on the City of Palmerston website, social media posts, a detailed information paper, municipal-wide mail out and accompanying online and face-to-face engagements.
- The report titled (Animal Management) By-Laws Consultation - Outcomes and Amendments was presented to Council on 19 March 2024, with the outcome of endorsement of the recommended amended By-Laws.
- The revised City of Palmerston (Animal Management) By-Laws will now be submitted to the Office of Parliamentary Counsel for finalisation and settlement.
- City of Palmerston will ensure the community is thanked for their feedback and participation in the consultation process.

RECOMMENDATION

THAT Report entitled Animal Management - Update be received and noted.

BACKGROUND

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. Findings from 2021 community consultation guided the draft By-Laws to provide a contemporary and modernised approach to the regulation and management of animals within the Palmerston municipality.

City of Palmerston facilitated community consultation on its updated draft Palmerston (Animal Management) By-Laws from 17 January 2024 until 12 February 2024. Consultation included information provided to the community on the City of Palmerston website, social media posts, a detailed information paper, municipal-wide mail out and accompanying online and face-to-face engagements.

On the 19 March 2024, the Animal Management By-Laws Consultation – Outcomes and Amendments report was tabled to Council requesting they endorse and thank the community for their feedback on the draft Animal Management By-Laws. Information for the consultation was provided on City of Palmerston's website, social media posts, a discussion paper and accompanying online and hard copy survey.

The feedback received through face to face, online and submissions throughout the community consultations have been reported and articulated within the attached report, **Attachment 8.2.3.1**.

The community consultation for the draft By-Laws was open for 30 days from 15 January until 12 February 2024, with the aim to inform the broader community of the proposed key changes including the introduction of:

- Registration and licencing for both dogs and cats;
- Compulsory microchipping for dogs and cats;
- Scope for impounding to apply to both dogs and cats;
- Dog attack penalties to increase with a 'sliding fine scale' based on the severity of the offence;
- Scope for conditional registration to be applied to declared dangerous dogs;
- Management of domestic livestock supporting the Interim Control Order (No.32);
- Nuisance animal provisions to extend to cats, domestic livestock, and poultry;
- A significant review of prescribed penalties in relation to animal management offenses; and
- Management of poultry being included within the By-Laws.

The Palmerston community was the primary target audience, with the purpose of ensuring City of Palmerston captured both cat and dog owners, non-cat and/or dog owners, other animal owners and non-owners. Other audiences included animal specific groups (including community stakeholder groups), experts, associations, and businesses who were emailed on commencement of consultation on 15 January 2024. Nine (9) key stakeholder groups including animal welfare, rehoming and management organisations were contacted directly as part of the consultation.

DISCUSSION

Animal Management By-Law Review

Following a second round of community consultation, City of Palmerston's revised Animal Management By-Laws are one step closer to being implemented on 1 July 2024.

From 17 January 2024 until 12 February 2024 City of Palmerston facilitated community consultation on its updated draft City of Palmerston (Animal Management) By-Laws. The purpose of the community consultation was to inform the community of the proposed changes to the By-Laws. The consultation included information provided to the community on the website, social media posts, a detailed

information paper, municipal-wide mail out and accompanying online and face-to-face engagements, the consultation provided the below outcomes:

- Eight (8) public displays at various locations within the municipality with 98 visitors attending during these sessions.
- 84 online survey responses received of which 96% were City of Palmerston residents. The majority of feedback was received from residents living in Marlow Lagoon, Zuccoli and Durack.
- Two (2) stakeholder and community meetings held with the Department of Biosecurity, Animal Welfare Departments and two (2) Darwin Veterinary Clinic owners.
- 83% of respondents agreed on the dangerous dog management objectives including Council's ability to declare dangerous and impose conditions on registration.
- Between 55%-69% of survey respondents were in support of applying cat registration, limits, and conditions on the maximum number of cats and at large offences to be applicable to cats.
- 24% of the online survey responses did not support the drafting of By-Law 38 Domestic Animals and the intent to limit one (1) domestic animal to one (1) hectare of land. This was further reflective within the feedback provided at community engagement sessions.
- Feedback was received indicating concerns that the draft Palmerston (Animal Management) By-Laws were too prescriptive in the total number of domestic livestock per property nor size requirement.
- As a result of the feedback received regarding livestock, City of Palmerston requested the Office of Parliamentary Counsel consider re-drafting the draft Palmerston (Animal Management) By-Laws to amend this clause to allow determination via Council policy which is a consistent approach within the entire by-law.
- The Domestic Livestock definition has further extended to align and be comparable with the Livestock Act (2008): including the species of Sheep, Llama, and Alpaca.

The community consultation provided sentiment that the community was pleased to see Council positively engaging with residents, educating, and seeking feedback on the draft City of Palmerston (Animal Management) By-Laws. Much of the feedback will be managed and addressed via Council policy or programs such as education and required policies will be prioritised, developed, and presented to Council.

The proposed amended draft (**Attachment 8.2.3.2**) reflects the recommended amendments reflective of the community consultation outcomes which, now endorsed by Council, will go to Parliamentary Counsel to undertake the gazettal process, with implementation on track for 1 July 2024.

At its 2nd Ordinary Meeting on March 19, 2024, Council resolved the following:

13.1.1 Animal Management By-Laws Consultation - Outcomes and Amendments

Moved: Councillor Henderson

Seconded: Councillor Garden

1. *THAT Report entitled Animal Management By-Laws Consultation - Outcomes and Amendments be received and noted.*
2. *That Council write to the Office of Parliamentary Counsel submitting the amended draft Palmerston (Animal Management) By-laws, informed by community consultation, being Attachment 13.1.1.5, for finalisation and settlement of the draft prior to final endorsement by the Council for gazettal by the relevant Minister and implementation as of the 1 July 2024.*
3. *That Council thank the community for their feedback on the draft Palmerston (Animal Management) By-laws.*

CARRIED 10/1251 - 19/03/2024

A Place for People

City of Palmerston will continue to develop required policies and an education program regarding the implementation of new By-laws on the 1 July 2024. Council will receive reports as required regarding these matters.

Animal management statistics

Animal Management continues to lead in the customer reporting requests across all regulatory functions. From January to 20 March 2024, City of Palmerston received a total of 465 customer requests relating to animal management within normal business hours. 41% of these customer action requests were reports of dogs at large or contained for collection and 74 dogs were impounded. 105 requests were made out of hours, being reports of dogs at large or contained for collection, dog attacks and nuisance behaviour concerns.

CONSULTATION PROCESS

There was no consultation required during the preparation of this Report.

POLICY IMPLICATIONS

There are no policy implications for this Report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this Report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This Report addresses the following City of Palmerston Strategic Risks:

4. Inclusion, Diversity and Access
Failure to balance meeting needs of Palmerston's cultural mosaic
6. Governance
Failure to effectively govern.

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

1. Consultation Report Animal Management By Laws [8.2.3.1 - 14 pages]
2. Animal Management By- Laws Policy [8.2.3.2 - 35 pages]



City of Palmerston: Animal Management By-Laws Community Consultation

15 January – 12 February 2024

PREPARED BY:
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AA&P 360
ABN: 13 085 798 750



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Background

The City of Palmerston Animal Management By-Laws came into effect in 1999. Over the last 25 years, Palmerston has seen significant population growth and with that has come a surge in pet and domestic livestock ownership.

The current By-Laws no longer serve as a best practice reference relating to animal ownership, welfare and regulation, and do not align with community expectations around domestic animal ownership and management.

In 2021, City of Palmerston undertook community consultations to understand and capture how the community felt about amending the By-Laws to reflect more modern approaches to Animal Management. There was strong participation in the consultation and a number of key themes emerged around changes to the By-Laws and in support of stronger animal management and regulation in the Palmerston area.

The feedback from this consultation was vital to informing and helping to shape the new proposed By-Laws for Animal Management in the Palmerston area, which are set to begin from 1 July 2024.

The City of Palmerston has undertaken another round of community engagement to capture and understand community sentiment towards the new By-Laws, identify any implications or issues that need to be considered and/or addressed, and to inform the community of key changes and a date of implementation of the new Animal Management By-Laws.

The consultation was open from 15 January – 12 February 2024. The City of Palmerston engaged local PR and Stakeholder Engagement company AA&P 360 to support capture and record community feedback received as part of the consultations. A number of community consultation activities and various feedback mechanisms were provided as part of this consultation.

Consultation overview

Consultation activities were delivered between 15 January – 12 February 2024, and provided a number of ways for Palmerston residents and interested stakeholders to share their views and provide feedback into the proposed By-Laws.

The consultation activities were supported by a strong public awareness campaign, delivered by the City of Palmerston team, which included:

- Media engagement (media releases, interviews with CoP Mayor)
- Dedicated page on CoP Website
- Social media campaign (Facebook, Instagram, LinkedIn) - weekly posts and stories
- Mail out to Palmerston residents
- Advertising in NT News
- EDM to database
- A3 poster distribution at Council facilities and noticeboards
- Staff email signature



- Radio advertising – live reads
- Consultation collateral – information paper, flyer, proposed By-Laws.

Community consultation activities included:

- Online survey (84 responses)
- Public displays (8 consultations, 98 visitors)
- One on one stakeholder meeting (1 meeting)
- Direct feedback - ability to phone or email through feedback, as well as provide feedback through to your local Council member.
- Engagement on social media

Consultation Feedback

Online Survey

There were 84 online survey submissions received, with 96.4% (81) of the responses coming from Palmerston residents.

The residents from Marlow Lagoon (15.48%), Zuccoli (13.10%) and Durack (7.14%) were the top three survey respondents by suburb.

More than half of the respondents (59.52%) owned a dog(s) and 39.29% owned a cat(s). This was followed by poultry (10.71%), horses (8.33%) and birds (3.57%). 15.48% of respondents had no pets at all.

Although overall most respondents were in favour of the new By-Laws, around two thirds of respondents (67.86%) said they were not prepared to pay higher household rates to boost the Council's animal management services. 15.48% said they were prepared to pay to more, and 16.67% said they were unsure or neutral.

Dangerous Dogs

Management of dangerous dogs was a strong theme throughout all consultation activities and featured prominently in feedback received. This included:

- 83.13% of respondents agreed that Council should have the authority to declare a dog as dangerous, with 60.49% supportive of implementing a higher registration fee for a dangerous dog.

Respondents were largely supportive of a range of other control and management measures such as:

- Desexing the dangerous dog at the owners expense (76.54%)
- Dangerous dogs to be muzzled and controlled by a leash when outside the owners' property (91.36%)
- Dangerous dogs to not enter a dog exercise area (82.72%)



- Owners must notify council if there is an attack or alleged attack of a person of animal (88.89%)

Traceability of dangerous dogs was important, with almost all (97.59%) respondents supportive of owners having to notify Council if their dangerous dog is missing or dies.

When asked about the sliding scale fine to be imposed on dangerous dogs to reflect the severity of the response, respondents averaged 74 out of 100 in support of the proposed fines.

Cats and other animals (including domestic livestock)

Under the new By-Laws, the Council will be enforcing regulations on other animals including cats, poultry, birds, and livestock. Respondents were asked to comment on their level of support for the enforcement measures for all domestic livestock. Responses included:

- More than half (55%) were supportive of the implementation of relative enforcement measures for all domestic animals. Just one third (30.86%) were not supportive.
- Over two thirds (66.67%) of respondents were supportive of applying the same limits and conditions on the maximum number of cats.
- The large majority (80.25%) were supportive of the introduction of compulsory microchipping.
- Two thirds (62.96%) were supportive of the introduction of cat registration, and just over a quarter (27.16%) were not supportive.
- Almost two thirds (69.05%) of respondents were supportive of applying 'at large' offences to cats as well as dogs.

Domestic Livestock

Council will be implementing new restrictions on domestic livestock in certain areas, including horses, oxen, buffaloes, bovines, camels, goats and pigs.

When asked if they would be supportive of domestic livestock not being kept in Palmerston on a lot that has less than one hectare of available land, the average response was 68 out of 100.

When asked if they would be supportive of Council will be implementing penalty infringements for livestock kept outside permitted areas, the average score was 69 out of 100.

General feedback

82% (69) of respondents provided long form feedback and comments. Feedback has been grouped below.

37% of responses related to **dogs**, namely for:

- Owners being more responsible for their dogs (dangerous, nuisance or otherwise)
- Strong support for more enforcement around dangerous and nuisance dogs
- Further information on classification of a dangerous dog
- Stronger focus on animal welfare
- The process of identifying a dangerous dog should be individual, and not breed based.



39% of responses related to **cats**, namely:

- Largely supportive of cat management (registration and microchipping) and managing nuisance cats (feral, stray)
- Responsible owners of indoor cats do not want to be penalised for irresponsible owners, and do not support registration of full-time indoor cats
- Seeking further detail on registration and microchipping cost, and how councils will manage cats at large
- Protection of native animals and wildlife being a key consideration
- More information wanted on how feral cats will be managed under the new By-Laws
- The future plans for a cattery.

The remaining responses related to **domestic livestock and other animals**, with the following key themes included:

- Strong disagreement to By-Law 38 and the proposed 1 livestock animal per hectare
 - One livestock animal per hectare is too restrictive and not realistic.
 - There needs to be consideration for type of animal (eg. one goat is not equivalent to one cow)
 - The 1Ha lot size does not meet best practice animal welfare standard in consideration of herd animals
 - The focus should be on responsible ownership of livestock – not based on lot size.

Public Displays

There were nine planned public displays during the consultation period, eight of which were delivered. Due to very wet weather, the first public display at Bakewell Dog Park was moved to the Palmerston Recreation Centre. The second public display planned for Bakewell Dog park was also unable to take place due to very wet conditions.

Date	Location	Attendees	Sentiment
Wednesday, 17 January	Palmerston Recreation Centre*	8	Positive
Friday, 19 January	Marlow Lagoon Dog Park	15	Positive
Saturday, 20 January	Marlow Lagoon Dog Park	11	Positive
Saturday, 27 January	Gateway Shopping Centre	27	Positive
Sunday, 28 January	Bakewell Dog Park** <i>Cancelled due to rain</i>	0	N/A
Thursday, 1 February	Palmerston Recreation Centre	14	Positive
Friday, 2 February	City of Palmerston Library	8	Positive
Saturday, 3 February	Zuccoli Dog Park	6	Positive



Thursday, 8 February	Council Chambers***	9	Positive
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Notes:

** Location was changed from Bakewell Dog Park to Palmerston Recreation Centre due wet weather.*

*** Two attempts were made to have a public display at Bakewell Dog Park, however, due to very wet weather, this was not possible. Additional signage was placed around the dog park to encourage Bakewell residents to submit their feedback online.*

**** This was a Palmerston Animal Management Network meeting held in Council Chambers and open for the general public.*

Over the eight public displays, 98 people interacted with Council staff and Councilors, to both find out more information and share their feedback. The overwhelming majority of people who visited the public displays were supportive of the proposed changes to the By-Laws, in particular around stronger management of cats and dangerous dogs.

Throughout the consultation, a large proportion of feedback received included apprehension and concern of the drafting and limitations of the land size and defined number of animals provided within By-Law 38, Domestic Livestock. A lot of the community members raising the concerns had further questions surrounding the implications for their current domestic animals owned. Primarily asking what does it mean for people who had more than one animal or had bought land in appropriately zoned areas within Palmerston, with the hope of having domestic livestock and other animals.

Further concerns around By-Law 38 had been flagged directly with the Mayor and Elected Members of Council early in the consultation phase, of which Council had raised a commitment to review the restrictive and defined scope within By-Law 38.

There were a number of questions about the details missing from the By-Laws, such as limits to dogs and cats, cost of microchipping and registration for cats and how the new By-Laws would be policed. Council representatives were able to advise that more detail would be available in the policy, and that feedback from the consultation was helping inform future policy development.

Other feedback provided has been grouped into key areas and is included below.

Cats

- Supportive of stronger management of cats, including compulsory registration and microchipping.
- Collars on cats have animal welfare considerations – strangulation and getting caught. There should be a consideration for older / only indoor cats to not having to wear collars or tags.
- Would like to see incentives in place for cat registration and microchipping and desexing, as well as outdoor cat runs and cages, especially for seniors.
- Better managing the impact of roaming cats on wildlife.

Dogs

Dangerous Dogs

- Supportive of dangerous dog provisions and harsher penalties.



- There needs to be consideration about the qualification of the person doing the assessment and their suitability and experience.

Domestic livestock

- Concerns around Section 38 of the By-Laws
 - Too prescriptive.
 - Not consistent with animal welfare standards or Animal Protection Act. Keeping only one animal is not best practice for certain livestock (herd animals, breeding pairs).
 - People could also argue the definition of what constitutes as commercial.
 - Do not want to see limits on animals per hectare and do not believe this reflects the current situation of the many well-managed horses and other small livestock in Marlow Lagoon.

Overall, the community seemed pleased to see Council out and about and engaging with residents. There were a number of comments received to this effect.

The Palmerston Animal Management Network meeting was the last of the public consultations and this was attended by two local Palmerston veterinarians. Overall, they were very supportive of the proposed amendments, particularly around increased management of cats (registration, microchipping).

The vets noted that they receive stray or missing cats to their clinics each day, and that microchipping will help return cats quickly to owners. They noted there was a huge increase in returning dogs to owners when compulsory microchipping was introduced.

Both vets remarked that dog attacks continue to be frequent with dogs 'presenting to vets' due to dog on dog attacks or fights very regularly – and at a rate far above other clinics in other Council areas.

More detailed feedback is included with the notes from this meeting, included as Appendix 1.

One on One Stakeholder meetings

A number of key animal welfare and management organisations who operate in the Palmerston area were contacted directly as part of the consultation and invited to submit their feedback or arrange a one-on-one meeting. These included;

- Animal Management in Rural and Remote indigenous Communities (AMRRIC)
- RSPCA Darwin
- Paws Darwin
- Palmerston Veterinary Providers (The Art, Palmerston Veterinary Hospital and Uni Ave Vets)
- Department of Animal Welfare
- Grey Hound Association Northern Territory
- Australian Veterinary Association (I have further requested an NT contact)
- A Safe Place for Meow- Cat Rehoming Northern Territory
- Darwin Animal Rescue



- Riding for the Disabled in the Top End

There was only one request for a face to face stakeholder meeting, received from the Northern Territory Government's Biosecurity & Animal Welfare (BAW) branch (Department of Industry, Tourism and Trade).

General feedback included:

- BAW welcomes the changes and acknowledges the body work that has gone into developing the new By-Laws and is pleased to see Palmerston Council being proactive in the space.
- Recommends that Council review the Pounds Act to consider how this may influence or impact future policy development.
- BAW receives a number of complaints around nuisance poultry and livestock, so the By-Laws will support stronger management going forward.
- Nuisance provision is strongly supported as previous complaints have not been able to be referred on or managed under current legislation.

The full meeting notes are attached as Appendix 2 with specific recommendations and considerations to the key areas of dogs, cats and domestic livestock management, as well as other areas.

It was noted that all properties with domestic livestock must register for a Property Identification Code (PIC).

Direct feedback

The community was able to phone or email any additional concerns or feedback that they would like included as part of the consultations.

Five phone calls were received by AA&P, mostly around the management of cats and the protection of wildlife.

There was also feedback received around the management of dangerous dogs and the process for euthanasia of a dog that had been deemed as dangerous by Council. The request was for Council to allow the owner to have their dog put down by a vet of their choice, and to enable the owners to bury/cremate their animal.

Two email responses were received via the City of Palmerston's regulatory team, directly relating to the classification of feral cats vs lost/missing cats, and concerns around By-Law 38.

Members of Council were also asked to promote the consultation to their constituents and encourage residents to take part in the online survey, visit a public display, or provide any feedback direct to their local member.



Engagement on Social media

The first post on social media promoting the By-Laws Consultation on January 15th, let the community know that new By-Laws were being introduced and that the community was invited to provide their input and feedback as part of the consultation process.

The first Facebook post received the most engagement, with 20 comments and 20 shares. The commentary was largely around cats.

A number of people who stopped past the public displays noted that they saw the consultation promoted on social media. A Facebook event was set up for each public display, and stories were posted on the day from most locations.

Summary

Overall, the sentiment towards to the introduction of new Animal Management By-Laws was positive, with most people commenting that they were supportive of the new By-Laws being introduced. A number of residents that attended the public displays also commented that they were pleased that Council had gone back out for consultation and feedback into the new By-Laws.

The key themes that attracted the most feedback and comments were:

- **Cat Management** – supportive of compulsory registration and microchipping. The community was supportive of stronger regulation and management of cats. Of particular concern to many residents was the impact of cats on native wildlife.
- **Dangerous Dogs Provisions** – supportive of harsher penalties around dangerous dogs and the sliding scale of fines.
- **Nuisance Provisions** – as they apply to dogs, cats, poultry, other animals and domestic livestock were broadly supported.
- **By-Law 38** – the those who provided feedback, they were largely not supportive of this proposed By-Law that set a minimum size of 1 HA for one animal. They felt that this By-Law was too prescriptive and did not fairly consider or cater for those people who own one or more animal on appropriately zoned land in the Palmerston region.

There were calls for incentives to help alleviate the costs associated with compliance, particularly in regard to cat registration and microchipping, as well as incentives for dog and cat desexing.

The feedback received reflected strong community support for the proposed new By-Laws to better align with a growing city and more modern standards of animal ownership, welfare, and regulation.



Appendix 1: Palmerston Animal Management Network

Community Consultation Summary

Date: 8 February 2024

Location: City of Palmerston, Civic Plaza – Palmerston Animal Management Network Meeting

Time: 5.00 – 5.30pm

ELECTED MEMBERS	Councillor Amber Garden (Chair) Mayor Athina Pascoe-Bell Councillor Sarah Henderson
NETWORK MEMBERS	Natalie Bell, Managing Director, Associated Advertising (NB)
STAFF	Emma Blight, Acting General Manager Community (GMC) Angie Heriot, Regulatory Services Manager (RSM) Georgina Davies, Executive Assistant to GMC (EA)
STAKEHOLDERS	Lisa Thring, Vet, Palmerston Veterinary Hospital (LT) Stephen Cutter, Vet, Ark Animal Hospital (SC)

Key Outcomes

Overall sentiment: positive / supportive

Feedback received.

- Overall supportive and happy with the proposed amendments, particularly around increased management of cats (registration, microchipping).

Cats

- Microchipping will help return cats quickly to owners. There was a huge increase in returning dogs to owners when compulsory microchipping was introduced.
- Keen to see the detail around implementation and enforcement and what will constitute as 'at large' (time based, outside yard etc) - queried about roaming cats and will there be a curfew due to Council's interstate having a night-time curfew
- Everyday stray cats and kittens are brought into vet clinics and vets cannot always take them. Many of the shelters and rescue services are full or at capacity. It's estimated that there would be several thousand unwanted (stray / abandoned / feral cats) in the Palmerston area



- May need to be some consideration given to ‘class of cat’ – eg. Owned, semi-owned, feral
- Need further detail on how long vets will need hold microchipped cats for. And if the owner is not contactable
- High number of stray cats in Yarrawonga continue

Domestic Livestock

- By-Law 38
 - 1HA ruling is not applicable to small livestock
 - Many need to consider future trends towards ‘miniature livestock’
- Supportive of there being regulation around livestock – especially to control and moderate nuisance (environmental, neighborhood, safety)
- Supportive of inclusion of poultry into By-Laws. Agree to not including size and number limits however this can be managed through nuisance
- Council could consider incentives to microchip domestic livestock

Dogs

- Dog attacks continue to be frequent with dogs ‘presenting to vets’ due to dog on dog attacks / fights
- Supportive of stronger measures and enforcement around dog magement (owner responsibility) and dog attacks
- There are significantly more dogs presented for treatment from dog attacks and fights compared with other vet clinics the Darwin region
- Would like to see education / support for more people to report dog attacks and fights when there has been an issue. New By-Laws will allow better recording and management of dangerous dogs and owners.

Overall very happy with the proposed changes and supportive of Councils recommendations and new proposed changes, particularly around cats.



Appendix 2: Biosecurity & Animal Welfare (BAW) DITT

Stakeholder Meeting - Summary

Date: 9 February 2024

Location: Berrimah Farm

Time: 12.30 -2.00pm

Attendees

Biosecurity & Animal Welfare (BAW) DITT

Anthony Burridge, Principal Biosecurity Legislation Officer

Livestock Biosecurity team:

Rob Williams, Chief Veterinary Officer

Adele Kluth, LISA / Brands

Bill Dalton, Operations Manager

Georgia Johnson, A/Regional Livestock Biosecurity Officer

Animal Welfare

Charles Drury, Director

Feedback received

General feedback

- BAW (DITT) welcomes the changes and acknowledges the body work that has gone into developing the new By-Laws – pleased to see Palmerston Council being proactive in the space
- Recommended that Council review the Pounds Act to consider how this may influence or impact future policy development
- The Department receives a number of complaints around nuisance poultry and livestock, so the By-Laws will support stronger management going forward
- Nuisance provision is strongly supported as previous complaints have not been able to be referred on or managed under current legislation

Domestic Livestock

- BAW are keen to work with the Council to promote and encourage all owners of domestic livestock to register for a Property Identification Code (PIC). Eg, through mail outs of registration renewals, including PIC in registration, other marketing, Councils website.
- Definition of domestic livestock should consider including Alpacas, Llamas, Sheep and Deer. Parks & Wildlife issue permits for deer, and sheep is DITT.



- Consideration to include crocodiles as although wildlife are not included as domestic livestock, NT does include a provision for being able to own crocs as a domestic pet in the NT
- Could look to include that domestic livestock is as defined by Section 5 of the Livestock Act
- The By-Laws don't include a provision for, or rules around, animals being kept for religious sacrifice / holidays / meals – mostly sheep and goats
- The current domestic livestock definition doesn't include poultry. Recommend that poultry be defined as 'domestic fowl' which includes chickens, ducks, geese, turkey, guinea fowl, peacock and pea hens, pigeons etc and list all types. Amendment to the Livestock Act will include emu and ostrich(which all require PIC)
- Bees and beehives are not included. Noted that this currently sits in other NTG legislation however would like to see reference to bees in CoP By-Laws. The Dept will have new legislation in place by the end of March.
- Note that By-Law 38 is informed by NTG legislation (DIPLE) however BAW note that 1ha provision is not reflective of the many 1 acre rural blocks in Marlow and other Palmerston suburbs.
- BAW (DITT) is responsible for where Livestock are being kept, the parcel of land must have a PIC By-Law. Issuing a PIC is not a permit giving permission to keep livestock if regulated by Local Govt / Council etc.

Dogs

- Supportive of dangerous dog provisions including ability to enforce microchipping and registration for dangerous dogs. Would support this information being a shared resource for management and policing of dangerous dogs across local government areas.

Cats

- Supportive of proposed cat management provisions
- Would support a limit on cat ownership. Disease management and animal welfare and both harder to manage when there are lots of cats at one residence/property.
- Veterinary Board of the NT could assist with providing advice or recommendations on number of cats per household / property, with reference to the risk of disease and husbandry standards.

NORTHERN TERRITORY OF AUSTRALIA

CITY OF PALMERSTON (ANIMAL MANAGEMENT) BY-LAWS 2024

Subordinate Legislation No. [] of 2024

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(Animal Management) By-laws 2024**

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infringement amounts**

NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. [] of 2024*

City of Palmerston (Animal Management) By-laws 2024

City of Palmerston, at a meeting held on [] 2024, made the following by-laws under the *Local Government Act 2019* and, for section 63A(1)(a)(ii) of the *Interpretation Act 1978*, authorised [], [the Chief Executive Officer], to sign them.

Dated 2024

Chief Executive Officer

The common seal of City of Palmerston is affixed under a resolution authorising the seal to be affixed passed on [] 2024.

Mayor

Chief Executive Officer

CONFIDENTIAL DRAFT
Prepared by the Office of the Parliamentary Counsel
Date: 07 March 2024 09:31
Ref: 12byIL018RIF d13

* Notified in the *Northern Territory Government Gazette* on [] 2024.

Part 1 Preliminary matters

Part 1 Preliminary matters

1 Title

These By-laws may be cited as the *City of Palmerston (Animal Management) By-laws 2024*.

2 Commencement

These By-laws commence on [date].

3 Definitions

In these By-laws:

approved means approved by the City by resolution.

assistance animal, see section 4A of the *Anti-Discrimination Act 1992*.

at large, in relation to a dog or cat, means the dog or cat is:

- (a) outside the premises where it is usually kept; and
- (b) not under effective control.

attack, in relation to a dog, means any behaviour of the dog specified in by-law 21(1) or 22(1).

authorisation means a form of written or electronic authority issued by the CEO that is required under these By-laws to do something, to have something or to engage in other conduct.

Examples for definition authorisation

- 1 A licence to keep animals at premises.
- 2 A dog or cat registration.

City means the local government council constituted for the municipality of Palmerston.

Note for definition City

The Minister for Local Government changed the name of the council for the City of Palmerston local government area to the "City of Palmerston" by notice in Gazette G50 of 12 December 2012.

dangerous dog means a dog declared to be dangerous under by-law 25.

dog exercise area means an area declared by the City under by-law 17 to be a dog exercise area.

domestic livestock means any of the following that is kept for a non-commercial purpose:

- (a) a horse or other equine animal;
- (b) an ox, buffalo or other bovine animal;
- (c) an alpaca;
- (d) a camel;
- (e) a goat;
- (f) a llama
- (g) a pig;
- (h) a sheep.

effective control, in relation to a dog or cat, see by-law 14(2) and (3).

infringement amount, for Part 4, see by-law 50(2).

infringement notice, for Part 4, see by-law 51.

infringement notice offence, for Part 4, see by-law 50(1).

menace, see by-law 20(2).

nuisance, see by-law 39(2).

owner, see by-law 4.

Palmerston means the City of Palmerston local government area.

pound means a place established by the City to impound animals.

premises include the following:

- (a) a building or other structure;
- (b) a part of a building or other structure;
- (c) land where a building or other structure is situated.

properly contained, see by-law 13.

vehicle means any conveyance that runs on wheels.

Examples for definition vehicle

Part 1 Preliminary matters

Cars, trucks, trailers, motorcycles, bicycles, scooters, skateboards and inline skates.

Note for by-law 3

The Act also defines terms that are used in these By-laws.

4 Meaning of owner

(1) In relation to an animal, **owner** means any of the following:

- (a) for a registered dog or cat – the person who is registered as the owner of the dog or cat;
- (b) the person for the time being in control or possession of the animal;
- (c) the occupier of the premises, or a part of the premises, where the animal is kept.

Examples for definition owner

A person walking a dog or looking after a dog for a friend who is on holidays.

(2) If an owner under clause (1) is a person under 18 years of age, the owner is taken to be any parent or guardian of that person.

5 Application within Palmerston

These By-laws apply to and have effect within Palmerston.

Note for by-law 5

Under section 275(4) of the Act, a by-law binds the Territory and all its instrumentalities.

6 Application of Criminal Code

Part IIAA of the Criminal Code applies to an offence against these By-laws.

Note for by-law 6

Part IIAA of the Criminal Code states the general principles of criminal responsibility, establishes general defences, and deals with burden of proof. It also defines, or elaborates on, certain concepts commonly used in the creation of offences.

Part 2 Animal management
Division 1 Responsible ownership of dogs and cats

Part 2 Animal management

Division 1 Responsible ownership of dogs and cats

7 Registration required

- (1) The owner of a dog or cat that is kept in Palmerston must register it with the City.
- (2) The City must, by resolution, determine the following:
 - (a) the process for registering dogs and cats;
 - (b) any grounds for refusing to register a dog or cat;
 - (c) any conditions of registration;
 - (d) date of expiry of a registration.

Examples for clause (2)(b)

Unsuitable premises or excessive number of dogs or cats.

Note for by-law 7

Part 3, Division 1 contains provisions about the grant of authorisations, including registrations, under these By-laws.

8 Offence of unregistered dog or cat

- (1) A person commits an offence if the person keeps an unregistered dog or cat in Palmerston for a period of 3 months or longer.

Maximum penalty: 20 penalty units.

Note for clause (1)

The infringement amount is 1 penalty unit.

- (2) The following persons are exempt from clause (1):
 - (a) a City employee or contractor who keeps a dog or cat in a pound;
 - (b) a person or entity that provides animal protection or welfare services;
 - (c) a veterinarian who keeps a dog or cat for treatment.
- (3) An offence against clause (1) is an offence of strict liability.

9 Identification devices

- (1) A registered dog or cat must:
 - (a) wear an identification tag when outside the premises where the dog or cat is kept; and
 - (b) be implanted with a microchip.
- (2) An identification tag must meet the specifications determined, by resolution, by the City.
- (3) An implanted microchip must:
 - (a) meet the specifications determined, by resolution, by the City; and
 - (b) be designed to store information in a way that can be retrieved electronically without physical contact.
- (4) The CEO may exempt a dog or cat from the requirement in clause (1)(b) if the CEO is satisfied that implanting a microchip in the dog or cat will:
 - (a) result in an undue risk to the health of the dog or cat; or
 - (b) adversely affect the growth, development or wellbeing of the dog or cat.
- (5) The owner of a registered dog or cat must ensure that it:
 - (a) wears a tag that meets the requirements determined under clause (2) when outside the premises where it is kept; and
 - (b) is implanted with a microchip.

10 Offences related to identification devices

- (1) The owner of a registered dog or cat must not:
 - (a) allow it to be outside the premises where it is kept without wearing an identification tag that meets the requirements determined under by-law 9(2); or
 - (b) remove from it any microchip implanted under by-law 9.

Maximum penalty: 20 penalty units.

Note for clause (1)

The infringement amount is 1 penalty unit.

- (2) An offence against clause (1) is an offence of strict liability.

11 Offence for contravention of condition of registration

- (1) The owner of a registered dog or cat must comply with any conditions on the registration determined by the City.
- (2) A person commits an offence if:
- (a) the person is the owner of a registered dog or cat; and
 - (b) the registration of the dog or cat is subject to a condition; and
 - (c) the owner fails to comply with the condition.

Maximum penalty: 20 penalty units.

Note for clause (2)

The infringement amount is 1 penalty unit.

- (3) An offence against clause (2) is an offence of strict liability.

12 Notice of change in address or owner

- (1) The owner of a registered dog or cat must notify the City of the following events:
- (a) a change in the owner's address;
 - (b) a transfer of the dog or cat to a new owner.
- (2) The notice must be given in the approved form within 14 days after the day the event occurred and include the following:
- (a) the particulars of the animal;
 - (b) the contact details of the owner;
 - (c) in the case of a transfer of the dog or cat to a new owner – the contact details of both the new and former owners.
- (3) A person commits an offence if:
- (a) the person is the owner of a registered dog or cat; and
 - (b) the person fails to comply with clause (1) or (2).

Maximum penalty: 10 penalty units.

Note for clause (3)

The infringement amount is 1 penalty unit.

- (4) An offence against clause (3) is an offence of strict liability.

13 Proper containment of dogs and cats

- (1) The owner of a dog or cat must properly contain the dog or cat when it is on the premises where it is usually kept.
- (2) For these By-laws, a dog or cat is taken to be **properly contained** on premises if the dog or cat is kept inside a building, enclosed run or other structure on the premises from which the animal is unable to escape.

Note for clause (2)

Under section 22 of the Animal Protection Act 2018, a person in control of an animal must provide a minimum level of care to the animal.

- (3) A person commits an offence if:
- (a) the person is the owner of a dog or cat; and
 - (b) the dog or cat is not properly contained when it is on the premises where it is kept.

Maximum penalty: 20 penalty units.

Note for clause (3)

The infringement amount is 2 penalty units.

- (4) An offence against clause (3) is an offence of strict liability.
- (5) To avoid doubt, the following matters are not relevant to an offence against clause (3):
- (a) the time during which the dog or cat was not properly contained;
 - (b) the ability of the owner to properly contain the dog or cat.

14 Keeping dogs and cats under effective control

- (1) The owner of a dog or cat must ensure that the dog or cat is under effective control when outside the premises where the animal is kept.
- (2) For these By-laws, a dog or cat is taken to be under **effective control** if the dog or cat is:
- (a) restrained by a leash or similar device that is suitable to restrain the dog or cat and is held by a person who is over the age of 12 years and competent to restrain the dog or cat; or

- (b) safely enclosed in a vehicle, or in or on the back of a flat-topped, tray-backed or well-bodied vehicle, in such a manner that no part of the dog or cat is projecting from the vehicle; or
 - (c) otherwise leashed or restrained and unable to run free.
- (3) For these By-laws, a dog in a dog exercise area is also taken to be under **effective control** if:
- (a) the dog is complying with the conditions specified for the area; and
 - (b) the dog is immediately responsive to a voice command of its owner; and
 - (c) the dog is not a female dog in oestrus; and
 - (d) the owner is carrying a leash or similar device in accordance with clause (2)(a).
- (4) A person commits an offence if:
- (a) the person is the owner of a dog or cat; and
 - (b) the dog or cat is not under effective control when outside the premises where the animal is kept.

Maximum penalty: 20 penalty units.

Note for clause (4)

The infringement amount is 1 penalty unit.

- (5) An offence against clause (4) is an offence of strict liability.

15 Abandoning dog or cat

A person commits an offence if the person intentionally abandons a dog or cat in Palmerston.

Maximum penalty: 20 penalty units.

16 Maximum number of dogs and cats

- (1) The City may, by resolution, establish a limit or condition on the maximum number of dogs or cats that may be kept on premises in Palmerston.

Examples for clause (1)

The maximum number of dogs and cats allowed on premises or limits or conditions on the breeding of dogs and cats and the suitability of those premises and the impact on neighbours.

- (2) The City must publish the limit or condition.
- (3) A person must not, without an authorisation, keep dogs or cats on premises contrary to any limit or condition established by the City on the maximum number of dogs or cats that may be kept on premises in Palmerston.
- (4) An occupier of premises commits an offence if:
 - (a) the City, by resolution, establishes a limit or condition on the maximum number of dogs or cats that may be kept on the premises; and
 - (b) the occupier keeps dogs or cats on the premises contrary to the limit or condition; and
 - (b) the occupier does not have an authorisation allowing that conduct.

Maximum penalty: 20 penalty units.

Note for clause (4)

The infringement amount is 1 penalty unit.

- (5) An offence against clause (4) is an offence of strict liability.
- (6) A person who contravenes clause (3) is not entitled to apply for, or to be granted, a licence referred to in that clause for a period of 12 months from the day of the last contravention.

17 Dog exercise areas

- (1) The City may, by resolution, declare an area to be a dog exercise area.
- (2) If the City intends to declare an area to be a dog exercise area, the City must:
 - (a) publish notice of the proposed area at least 28 days in advance; and
 - (b) consider any responses to the notice from residents of Palmerston.
- (3) The City must publish the location and conditions for using any dog exercise area or class of dog exercise area it declares.

Examples for clause (3)

1 *The times to exercise dogs in the area.*

2 *When female dogs in oestrus are allowed in the area.*

- (4) The owner of a dog using a dog exercise area must comply with the conditions for the area.
- (5) The owner of a dangerous dog must ensure the dog does not enter a dog exercise area.
- (6) A person commits an offence if:
 - (a) the person is the owner of a dog; and
 - (b) the dog is a dangerous dog; and
 - (c) the dog enters a dog exercise area.Maximum penalty: 20 penalty units.
Note for clause (6)
The infringement amount is 1 penalty unit.
- (7) An offence against clause (6) is an offence of strict liability.

18 Dog and cat restricted areas

- (1) The City may declare an area to be a dog or cat restricted area.
- (2) If the City intends to declare an area to be a dog or cat restricted area, the City must:
 - (a) publish notice of the proposed area at least 28 days in advance; and
 - (b) consider any responses to the notice from residents of Palmerston.
- (3) The City must publish the location and restrictions on dogs and cats in any dog or cat restricted area it declares.
- (4) An assistance animal is exempt from this by-law.
- (5) The owner of a dog or cat must comply with the conditions for the dog or cat restricted area.
- (6) The City may, by resolution, exempt a person, a class of persons or all persons from one or more conditions or restrictions in a declaration made under clause (1) for a maximum period of 14 days.
- (7) The City must publish an exemption under clause (6).

Part 2 Animal management
Division 2 Menacing, attacking and dangerous dogs

19 Offences related to dog or cat areas

- (1) A person commits an offence if the person:
- (a) owns a dog or cat; and
 - (b) fails to comply with the conditions for a dog exercise area or a dog or cat restricted area; and
 - (c) if the condition relates to a dog or cat restricted area – does not have an exemption from the condition under clause 18(6).

Maximum penalty: 20 penalty units.

Note for clause (1)

The infringement amount is 1 penalty unit.

- (2) An offence against clause (1) is an offence of strict liability.

Division 2 Menacing, attacking and dangerous dogs

20 Dog menaces

- (1) An owner of a dog must ensure that it does not menace a person or another animal.
- (2) For these By-laws, a dog is taken to **menace** a person or other animal if it chases, harasses, rushes at or threatens to bite the person or animal in a manner that causes a reasonable apprehension of fear in the person or animal.
- (3) The owner of a dog commits an offence if the owner fails to comply with clause (1).

Maximum penalty: 20 penalty units.

Note for clause (3)

The infringement amount is 3 penalty units.

- (4) An offence against clause (3) is an offence of strict liability.

21 Dog attacks

- (1) The owner of a dog must ensure that it does not rush at, bite, chase or menace a person or other animal resulting in:
- (a) physical contact with the person or other animal; or
 - (b) damage to:

Part 2 Animal management
Division 2 Menacing, attacking and dangerous dogs

- (i) anything worn by the person or animal; or
 - (ii) other property in the immediate possession or under the immediate control of the person.
- (2) The owner of a dog commits an offence if the owner fails to comply with clause (1).

Maximum penalty: 60 penalty units.

Note for clause (2)

The infringement amount is 5 penalty units.

- (3) An offence against clause (2) is an offence of strict liability.

22 Serious dog attack

- (1) The owner of a dog must ensure that it does not:
- (a) bite a person or another animal causing a puncture or break to the skin; or
 - (b) assault a person or another animal resulting in bleeding, bone breakage, sprains, scratches or bruising.
- (2) The owner of a dog commits an offence if the owner fails to comply with clause (1).

Maximum penalty: 80 penalty units or, for an aggravated offence, 100 penalty units.

Note for clause (2)

The infringement amount is 7 penalty units or, for an aggravated offence, 9 penalty units.

- (3) An offence against clause (2) is an offence of strict liability.
- (4) An offence against clause (2) is an aggravated offence if the bite or assault causes or results in substantial injury to, or death of, the person or the other animal.

23 Defences

- (1) It is a defence to a prosecution for an offence against by-law 20, 21 or 22 if:
- (a) another person had, without the defendant's permission, caused the dog to menace or attack the person or another animal; or
 - (b) in the case of another animal being menaced or attacked – the

other animal was on premises owned or occupied by the defendant without consent; or

- (c) in the case of a person being menaced or attacked – the person was unlawfully on premises owned or occupied by the defendant.

Note for clause (1)

The defendant has an evidential burden in relation to this defence (see section 43BU of the Criminal Code).

- (2) If a court finds a person guilty of an offence against by-law 20, 21 or 22, the court may make one or both of the following orders in addition to, or instead of, the penalty for the offence:
 - (a) if the dog is impounded as a result of the offence – an order that the person pay the costs and expenses of, and incidental to, the impounding;
 - (b) an order that the dog be destroyed.

24 Enticement or incitement

A person commits an offence if:

- (a) the person intentionally engages in conduct; and
- (b) the conduct results in the owner of a dog being liable to prosecution for an offence against by-law 20, 21 or 22; and
- (c) the person is reckless in relation to that result.

Maximum penalty: 20 penalty units.

Note for by-law 24

The infringement amount is 1 penalty unit.

25 Dangerous dog

- (1) An authorised person may, by written notice, declare a dog to be a dangerous dog if:
 - (a) the dog menaces or attacks a person or an animal; or
 - (b) the authorised person believes on reasonable grounds that the dog is destructive, dangerous, savage or a threat to the safety of the community.
- (2) The authorised person must give written notice of the declaration to the owner of the dog.

- (3) The written notice of the declaration must be in the approved form and include the following information:
 - (a) the day the declaration takes effect;
 - (b) the reasons for the declaration;
 - (c) the identity of the dog and the owner of the dog.
- (4) The City must keep a record of the information in clause (3).

26 Revocation of declaration of dangerous dog

- (1) The owner of a dangerous dog may, in writing to the CEO, request that the declaration of the dog as a dangerous dog be revoked.
- (2) The CEO may:
 - (a) revoke the declaration; or
 - (b) refuse to revoke the declaration.
- (3) The CEO must give the applicant written notice of the decision under clause (2).
- (4) A revocation under clause (2)(a) takes effect on the day the CEO notifies the applicant of the revocation.
- (5) If the CEO refuses an application under clause (2)(b), the CEO is not required to consider a further application made under clause (1) in relation to the same dog within six months of the refusal.

27 Duties of owner of dangerous dog

- (1) This by-law applies to the owner of a dog that is declared to be a dangerous dog.
- (2) The owner must, within 14 days after the day the declaration takes effect:
 - (a) desex the dangerous dog, unless it is already desexed, at the owner's expense; and
 - (b) provide to an authorised person evidence from a veterinarian that the dog is desexed; and
 - (c) undergo behavioural or other training with the dog, as specified by the CEO, at the owner's expense.
- (3) The owner must ensure that the containment required under by-law 13(1) is appropriate to the danger posed by the dangerous

dog.

Example for clause (3)

Installing higher and stronger fencing for a large dangerous dog.

- (4) The owner must post signage on the premises where the dangerous dog is kept, with the words "Warning Dangerous Dog" clearly visible and legible from the front boundary of the premises.
- (5) When the dangerous dog is outside the premises where it is kept, the owner must ensure that:
 - (a) the dog is kept under the effective control of a person who is at least 18 years of age and competent to restrain the dog; and
 - (b) the dog is muzzled and controlled by a leash that is suitable to restrain the dog; and
 - (c) the dog does not enter a dog exercise area.
- (6) If the owner intends to keep the dangerous dog for more than 14 days at a place other than the premises where it is usually kept, the owner must notify the City of the address of the place within 24 hours after the dog is relocated.
- (7) The owner must notify the City of any attack, or alleged attack, by the dangerous dog of a person or animal within 24 hours of the earlier of the following:
 - (a) the time of the attack or alleged attack;
 - (b) the time the owner becomes aware of the attack or alleged attack.

28 Notice about loss or transfer of dangerous dog

- (1) The owner of a dangerous dog must notify the City if the dog is missing or dies.
- (2) The notice must be given:
 - (a) within 24 hours after the owner becomes aware the dog is missing; or
 - (b) within 14 days after the day of its death.
- (3) If the owner of a dangerous dog intends to transfer ownership of the dangerous dog, the owner must inform the prospective owner that the dog is dangerous.

- (4) In the case of the transfer of a dangerous dog, the notice to the City under by-law 12 must be given within 24 hours after the transfer.

29 Offences related to dangerous dog

- (1) A person commits an offence if the person:
- (a) is the owner of a dog that is declared to be a dangerous dog; and
 - (b) fails to comply with by-law 27 or 28.

Maximum penalty: 100 penalty units.

Note for clause (1)

The infringement amount is 9 penalty units.

- (2) An offence against clause (1) is an offence of strict liability.

30 Remedial action for dangerous dog

- (1) If the owner of a dangerous dog fails to comply with the duties of an owner under by-law 27 more than once in a 12-month period, the CEO may require the owner to take either or both of the following actions:
- (a) undergo further specified behavioural or other training with the dog at the owner's expense;
 - (b) surrender the dog to the pound.
- (2) If the CEO intends to take action under clause (1), the CEO must give the owner of the dangerous dog a notice that:
- (a) states what action the CEO is proposing under that clause; and
 - (b) states the grounds for taking that action; and
 - (c) invites the owner to show cause, within 14 days, why the action should not be taken.
- (3) After considering any response received within 14 days after the day of the notice, the CEO must decide whether to take action under clause (1).
- (4) As soon as practicable after making a decision under clause (3), the CEO must give a decision notice to the owner of the dangerous dog.

Division 3 Seizure and impounding of dogs and cats

31 Seizure and impounding

- (1) An authorised person may seize:
 - (a) a dog or cat that appears to be diseased, injured, savage, destructive, stray or unregistered; or
 - (b) a dog or cat that is at large; or
 - (c) a dangerous dog whose owner is not complying with Division 2; or
 - (d) a dog that an authorised person believes on reasonable grounds has attacked a person.
- (2) As soon as practicable after seizing a dog or cat, the authorised person must:
 - (a) impound the dog or cat in a pound; or
 - (b) take reasonable steps to return the dog or cat to its owner if satisfied that it is not diseased, injured, savage or destructive.

32 Notice of impounding

- (1) The CEO must ensure that reasonable steps are taken to notify the owner of a dog or cat that it is impounded and whether:
 - (a) the owner must collect it; or
 - (b) the owner must await a decision regarding destruction or disposal under by-laws 34 and 35; or
 - (c) the dog or cat is subject to destruction or disposal under by-laws 34 and 35.
- (2) The owner of an impounded dog or cat who receives notice under clause (1)(a) must collect the dog or cat within the time specified in the notice.
- (3) A person commits an offence if the person:
 - (a) owns a dog or cat; and
 - (b) receives a notice under clause (1)(a) that the owner must collect it; and
 - (c) fails to collect the dog or cat within the time specified in the notice.

Maximum penalty: 20 penalty units.

Note for clause (3)

The infringement amount is 2 penalty units.

- (4) An offence against subsection (3) is an offence of strict liability.

33 Release from pound

- (1) When collecting a dog or cat from a pound, a person must provide evidence that the person is the owner of the dog or cat or is authorised to act on behalf of the owner.

- (2) The City may charge the owner a fee for:

- (a) the costs incurred by the City in relation to the impounded dog or cat; and
(b) delivering the dog or cat from the pound.

- (3) Subject to by-laws 34 and 35, an impounded dog or cat must not be released from a pound unless:

- (a) it is registered and implanted with a microchip in accordance with by-law 9; and
(b) it is released to its owner or to a person authorised to act on behalf of the owner; and
(c) the City receives any fees payable in relation to it.

Note for clause (3)

Under by-law 9(4), the CEO may exempt a dog or cat from the requirement to be implanted with a microchip.

- (4) Clause (3)(a) does not apply in relation to an impounded dog or cat if:

- (a) the dog or cat is usually kept outside the City; or
(b) the dog or cat is under 3 months of age.

- (5) For clause (4)(b), the owner of the dog or cat must provide evidence that the dog or cat is under 3 months of age.

34 Destruction of dog or cat

- (1) The CEO may arrange for a dog or cat to be destroyed if:

- (a) the dog or cat is in the pound or is abandoned or is found on a public place; and

- (b) the dog or cat is diseased, injured, savage, destructive, unclaimed, unregistered or unwanted; and
 - (c) it is humane to destroy the dog or cat in the circumstances.
- (2) The CEO may presume that a dog that attacks a person or animal is savage or destructive.

35 Destruction or disposal of impounded dogs and cats

- (1) Subject to this by-law, the CEO may, after a dog or cat is impounded for 4 business days:
- (a) transfer the dog or cat to an entity that provides animal rehoming services; or
 - (b) arrange for its destruction.
- (2) The CEO may make arrangements for the transfer of dogs and cats from a pound to a person or entity that provides animal rehoming services.

Example for clause (2)

Arrangements could be made with the RSPCA and other organisations that provide care for unwanted and stray animals.

- (3) The CEO must not destroy or dispose of an impounded dog or cat because it is savage, destructive, unclaimed, unregistered or unwanted until after the later of the following:
- (a) if circumstances related to the destruction are being investigated – the end of that investigation;
 - (b) if the destruction is subject to legal proceedings – 14 days after the end of those legal proceedings.
- (4) If an offence is being investigated in relation to an impounded dog or cat, it must not be destroyed or disposed of until the investigation is complete.

Example for clause (4)

If a dog is alleged to have attacked a person, the dog would not be destroyed unless the investigation is complete.

36 Humane method

Any destruction of a dog or cat under these By-laws must be done:

- (a) in a manner approved by the Australian Veterinary Association; and

Part 2 Animal management
Division 4 Management of other animals

- (b) by a veterinarian or another person who is, in the opinion of the CEO, qualified to destroy it.

37 Costs of destruction

The costs incurred by the City to destroy a dog or cat under by-law 34 or 35 is a debt payable by the owner of the dog or cat to the City.

Division 4 Management of other animals

38 Management of poultry and domestic livestock

- (1) The City may, by resolution, establish a limit or condition on the maximum number of poultry or domestic livestock that may be kept on premises in Palmerston.
- (2) The City must publish the limit or condition.
- (3) A person must not, without an authorisation, keep poultry or domestic livestock on premises contrary to any limit or condition established by the City on the maximum number of poultry or domestic livestock that may be kept on premises in Palmerston.
- (4) An occupier of premises commits an offence if:
 - (a) the City, by resolution, establishes a limit or condition on the maximum number of poultry or domestic livestock that may be kept on the premises; and
 - (b) the occupier keeps poultry or domestic livestock on the premises contrary to the limit or condition; and
 - (b) the occupier does not have an authorisation allowing that conduct.

Maximum penalty: 20 penalty units.

Note for clause (4)

The infringement amount is 1 penalty unit.

- (5) An offence against clause (4) is an offence of strict liability.
- (6) A person who contravenes clause (3) is not entitled to apply for, or to be granted, an authorisation referred to in that clause for a period of 12 months from the day of the last contravention.

39 Animal causing nuisance

- (1) The owner of a dog, cat, domestic livestock or poultry must ensure

that the animal is not a nuisance to people or other animals.

- (2) For clause (1), an animal is taken to be a **nuisance** if it:
- (a) is injurious or dangerous to the health of the community or another person; or
 - (b) behaves repeatedly in a manner contrary to the general interest of the community or specific interests of another person; or
 - (c) creates 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; or
 - (d) defecates to a degree or extent that causes annoyance to a person other than its owner.

Examples for clause (2)(c)

1 *Constant or loud barking, caterwauling, crowing or squawking, especially when pedestrians walk past the premises.*

2 *Noxious smelling coops or cages used for keeping poultry.*

- (3) The owner of an animal that defecates in public must immediately remove the faeces and dispose of them in a sanitary manner.
- (4) The owner of an animal must ensure it does not aggressively chase a vehicle.
- (5) The owner of an animal must not allow the animal to come within 10 m of a public play structure or public exercise structure unless the animal is under effective control.
- (6) A person commits an offence if the person fails to comply with clause (1), (3), (4) or (5).

Maximum penalty: 20 penalty units.

Note for clause (6)

The infringement amount is 3 penalty units.

- (7) An offence against clause (6) is an offence of strict liability.

40 Removal or disposal of animal remains

- (1) The City may arrange for the remains of a dead animal that is found on a public place to be removed or disposed of.
- (2) If the City incurs expense in removing or disposing of a dead animal, the City may recover the expense from the owner of the

animal as a debt due and payable to the City.

Part 3 Administrative matters

Division 1 Authorisations

41 Issuing authorisations

- (1) The CEO may issue, or refuse to issue, an authorisation.
- (2) An authorisation remains in force for:
 - (a) the period of time, if any, specified in the authorisation; or
 - (b) if no period is specified in the authorisation – the period of 12 months on and after the day of its issue.
- (3) An authorisation is subject to the conditions specified by the CEO.

Example for clause (3)

The fence around a property must be of a particular height.

- (4) An authorisation is not transferable, unless these By-laws expressly provide otherwise.

42 Application for authorisation

- (1) Applications for the issue of authorisations must be made to the CEO.
- (2) The application must be in the approved form and accompanied by:
 - (a) the applicable fee, if any; and
 - (b) any documents, specifications or particulars that the CEO may require.

43 Revoking or varying on request

- (1) The CEO may, on the written request of the holder of an authorisation:
 - (a) revoke the authorisation; or
 - (b) vary the conditions of the authorisation.
- (2) The CEO must give the holder written notice of the revocation or variation.

44 Revoking, suspending or varying for cause

- (1) The CEO may, in accordance with this by-law, revoke, suspend or vary the conditions of an authorisation if the holder of the authorisation:
 - (a) obtained the authorisation improperly; or
 - (b) failed to comply with these By-laws or a condition of the authorisation.
- (2) Before making a decision under clause (1), the CEO must give the holder written notice:
 - (a) stating that the CEO proposes to revoke, suspend or vary the authorisation; and
 - (b) stating the grounds for the intended revocation, suspension or variation; and
 - (c) inviting the holder to show cause, in accordance with clause (3), why the revocation, suspension or variation should not be made.
- (3) Within 7 days of receiving the notice, the holder of the authorisation may make written representations to the CEO on why the revocation, suspension or variation should not be made.
- (4) After considering any representations made by the holder in accordance with clause (3), the CEO may:
 - (a) take no further action in relation to the authorisation; or
 - (b) revoke, suspend or vary the authorisation.
- (5) As soon as practicable after making a decision under clause (4), the CEO must give written notice of the decision to the holder of the authorisation.
- (6) If the CEO decides to revoke, suspend or vary the conditions of an authorisation, the notice to the holder must include the following information:
 - (a) the date that the revocation, suspension or variation takes effect;
 - (b) in the case of a suspension:
 - (i) the steps that the holder must take before the suspension will be lifted and the consequences for not

completing those steps; and

- (ii) the period of time that the suspension will remain in force;
- (c) in the case of a variation – how the conditions are being varied.

Division 2 Information and records

45 Records

- (1) The CEO must keep records of the following:
 - (a) all dogs and cats registered under these By-laws;
 - (b) all other authorisations issued under these By-laws;
 - (c) any other matter required by these By-laws or by the City.
- (2) The records may be kept in any form, including electronic form.

Note for by-law 45

The City has obligations as a public sector organisation under the Information Act 2002.

46 Written notices

A written notice required under these By-laws may be in electronic form.

Example for by-law 46

An email sent to the registered owner of a dog or cat.

47 Publishing information

Any notice, document or other information that must be published under these By-laws must be published in a timely manner on the City's website.

Note for by-law 47

The Act provides for the publication of certain determinations, notices and minutes of meetings of the City and the protection of confidential information. Under section 7 of the Act, publishing includes publishing or broadcasting by radio, television, internet, telephone or other means.

Division 3 Fees

48 Determining fees

- (1) The City must, by resolution, determine the fees payable under these By-laws.
- (2) To avoid doubt, the amount of a fee may vary according to circumstances and conditions relevant to the fee.

Examples for clause (2)

- 1 *Lower registration fee for a sterilised dog or cat.*
- 2 *Higher registration fee for a dangerous dog.*

49 Other matters related to fees

- (1) Notice of the determination of a fee must be published as soon as practicable.
- (2) The City must not demand or receive any fee determined under by-law 48 unless notice of the fee was published.
- (3) Any fee that is not paid when it is due may be recovered as a debt due to the City.

Part 4 Infringement notice offences

50 Infringement notice offence and infringement amount payable

- (1) An ***infringement notice offence*** is an offence against a provision specified in Schedule 2.
- (2) The ***infringement amount*** for an infringement notice offence is the amount equal to the monetary value of the number of penalty units specified for the offence in Schedule 2.

51 When infringement notice may be given

If an authorised person believes on reasonable grounds that a person has committed an infringement notice offence, the authorised person may give a notice (an ***infringement notice***) to the person.

52 Contents of infringement notice

- (1) The infringement notice must specify the following:
 - (a) the name and address of the person to whom it is issued, if known;

Part 4 Infringement notice offences

- (b) the date the infringement notice is given to the person;
 - (c) the date and time of the infringement notice offence and the place at which the infringement notice offence occurred;
 - (d) a description of the offence;
 - (e) the infringement amount payable for the offence;
 - (f) the enforcement agency to which the infringement amount is payable.
- (2) The infringement notice must include a statement to the effect of the following:
- (a) the person may expiate the infringement notice offence and avoid any further action in relation to the offence by paying the infringement amount to the specified enforcement agency within 28 days after the notice is given;
 - (b) the person may elect to have the offence dealt with by a court by:
 - (i) completing a statement of election and giving it to the specified enforcement agency; and
 - (ii) not paying the infringement amount;
 - (c) if the *Fines and Penalties (Recovery) Act 2001* applies to the infringement notice offence – enforcement action may be taken under that Act if the person does nothing in response to the notice.
- (3) The infringement notice must include an appropriate form for making the statement of election mentioned in clause (2)(b)(i).

53 Electronic payment and payment by cheque

- (1) If the person uses electronic means to pay the infringement amount, payment is not effected until the amount is credited to the payee's bank account.
- (2) If the person tenders a cheque in payment of the infringement amount, payment is not effected unless the cheque is cleared on first presentation.

54 Expiation of offence

If the infringement amount for the infringement notice offence is paid in accordance with the infringement notice, the alleged offence

Part 5 Repeal and transitional matters
Division 1 Repeals

is expiated and no further proceedings can be taken in relation to the offence.

55 Withdrawal of infringement notice

- (1) The CEO may withdraw the infringement notice by written notice given to the person.
- (2) The notice must be given:
 - (a) within 14 days after the infringement notice is given to the person; and
 - (b) before payment of the infringement amount.

56 Application of Part

- (1) This Part does not prejudice or affect the start or continuation of proceedings for an infringement notice offence for which an infringement notice has been given unless the offence is expiated.
- (2) This Part does not:
 - (a) require an infringement notice to be given; or
 - (b) affect the liability of a person to be prosecuted in a court for an offence for which an infringement notice has not been given; or
 - (c) prevent more than one infringement notice for the same offence being given to a person.
- (3) If more than one infringement notice for the same offence has been given to a person, the person may expiate the offence by paying the infringement amount in accordance with any of the notices.

Part 5 Repeal and transitional matters

Division 1 Repeals

57 Repeal of By-laws

The By-laws specified in Schedule 1 are repealed.

Part 5 Repeal and transitional matters
Division 2 Transitional matters for City of Palmerston (Animal Management) By-laws 2024

Division 2 Transitional matters for City of Palmerston (Animal Management) By-laws 2024

58 Definitions

In this Division:

commencement means the commencement of by-law 57.

former By-laws means the *Palmerston (Animal Management) By-laws 1999*.

59 Former determinations

A charge, due or fee determined under the former By-laws and in force immediately before the commencement continues on the commencement as if it were determined under these By-laws.

60 Licences and registrations under former By-laws

A licence or registration issued, granted or renewed under the former By-laws that is in force immediately before the commencement continues as if the licence or registration were issued, granted or renewed under these By-laws.

61 Dog exercise areas and dog restriction areas

- (1) A dog exercise area declared under the former By-laws and in force immediately before the commencement continues on the commencement as if it were declared under by-law 17 of these By-laws.
- (2) A dog restriction area declared under the former By-laws and in force immediately before the commencement continues on the commencement as if were declared under by-law 18 of these By-laws.

62 Offence provisions

- (1) The offence provisions in the former By-laws, as in force immediately before the commencement, continue to apply in relation to offences committed before the commencement.
- (2) For this by-law, if any element of an offence occurred before the commencement, the offence is taken to have been committed before the commencement.

COMMITTEE AGENDA

Attachment 8.2.3.2

Part 5 Repeal and transitional matters
Division 2 Transitional matters for City of Palmerston (Animal Management) By-laws
2024

(3) In this by-law:

offence provision means a provision that creates or relates to offences, including in relation to criminal responsibility, defences and penalties.

Schedule 1 Repealed By-laws

Schedule 1 Repealed By-laws

by-law 57

<i>Palmerston (Animal Management) By-laws</i>	SL No. 25, 1999
<i>Amendments of Palmerston (Animal Management) By-laws</i>	SL No. 19, 2000
<i>Amendments of Palmerston (Animal Management) By-laws</i>	SL No. 51, 2002

Schedule 2 Infringement notice offences and infringement amounts

Schedule 2 Infringement notice offences and infringement amounts

by-law 50

Provision	Infringement amount (penalty units)
by-law 8(1)	1
by-law 10(1)	1
by-law 11(2)	1
by-law 12(3)	1
by-law 13(3)	2
by-law 14(4)	1
by-law 16(4)	1
by-law 17(6)	1
by-law 19(1)	1
by-law 20(3)	3
by-law 21(2)	5
by-law 22(2)	7
	for aggravated offence – 9
by-law 24	1
by-law 29(1)	9
by-law 32(3)	2
by-law 38(4)	1
by-law 39(6)	2



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9 INFORMATION AND CORRESPONDENCE

9.1 Information

9.2 Correspondence

10 GENERAL BUSINESS

11 NEXT COMMITTEE MEETING

THAT the next Community Safety Advisory Committee Meeting of Council be held on Tuesday, 14 May 2024 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

12 CLOSURE OF MEETING



MINUTES

Community Safety Advisory Committee Meeting

Tuesday 28 November 2023

The Advisory Committee Meeting of the City of Palmerston held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston, NT 0830

'A Place for People'



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COMMITTEE MINUTES

Minutes of Community Safety Advisory Committee Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Tuesday 28 November 2023 at 5:30pm.

PRESENT

COMMITTEE MEMBERS	Councillor Amber Garden (Chair) Councillor Lucy Morrison Councillor Sarah Henderson (Alternate Member) Sarah Gotch, Chief Minister and Cabinet Sharon Binns, Senior Member Jessica Porter, Youth Member Fran Ramsey, First Nations Representative
STAFF	Acting Chief Executive Officer, Amelia Vellar General Manager Infrastructure, Nadine Nilon General Manager Community, Kylie Darley Minute Secretary, Jodi Holden
GALLERY	One member of staff

Initials:

MINUTES COMMUNITY SAFETY ADVISORY COMMITTEE MEETING - 28 NOVEMBER 2023

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A Place for People

COMMITTEE MINUTES

1 ACKNOWLEDGEMENT OF COUNTRY

City of Palmerston acknowledges the Larrakia people as the Traditional Custodians of the Palmerston region. We pay our respects to the Elders past, present and future leaders and extend that respect to all Aboriginal and Torres Strait Islander people.

2 OPENING OF MEETING

The Chair declared the meeting open at 5.33pm..

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Moved: Councillor Morrison
Seconded: Sharon Binns

1. THAT the apology received from Councillor Hale for 28 November 2023 be received and noted.
2. THAT the apology received from Superintendent Peter Malley for 28 November 2023 be received and noted.
3. THAT the apology received from Ashleigh Ascoli for 28 November 2023 be received and noted.

CARRIED CSAC10/28 - 28/11/2023

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

Initials: _____

MINUTES COMMUNITY SAFETY ADVISORY COMMITTEE MEETING - 28 NOVEMBER 2023 18



A Place for People

COMMITTEE MINUTES

5 CONFIRMATION OF MINUTES

5.1 Confirmation of Minutes

Moved: Councillor Morrison
Seconded: Sharon Binns

THAT the Minutes of the Community Safety Advisory Committee Meeting held on 26 September 2023 pages 12 to 16 be confirmed.

CARRIED CSAC10/29 - 28/11/2023

5.2 Business Arising from Previous Meeting

Nil

6 DEPUTATIONS AND PRESENTATIONS

6.1 Laneway Policy Overview Presentation

Fran Ramsey arrived in Chambers at 5.39pm.

Moved: Sharon Binns
Seconded: Councillor Morrison

THAT the presentation by Nadine Nilon, General Manager Infrastructure on Laneway Policy Overview be received and noted.

CARRIED CSAC10/30 - 28/11/2023

7 CONFIDENTIAL ITEMS

7.1 Moving Confidential Items into Open

Nil

7.2 Moving Open Items into Confidential

Nil

7.3 Confidential Items

Nil

8 OFFICER REPORTS

8.1 Action Reports

8.1.1 Community Safety Advisory Committee Meeting Schedule 2024

Moved: Jessica Porter
Seconded: Fran Ramsey

THAT the Community Safety Advisory Committee recommends to Council:

Initials: _____

MINUTES COMMUNITY SAFETY ADVISORY COMMITTEE MEETING - 28 NOVEMBER 2023

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A Place for People

COMMITTEE MINUTES

1. THAT Report entitled Community Safety Advisory Committee Meeting Schedule 2024 be received and noted.

2. THAT meetings for 2024 be scheduled quarterly as follows:

- a. 5.30pm Tuesday 26 March 2024 in Council Chambers
- b. 5.30pm Tuesday 25 June 2024 in Council Chambers
- c. 5.30pm Tuesday 24 September 2024 in Council Chambers
- d. 5.30pm Tuesday 26 November 2024 in Council Chambers

CARRIED CSAC10/31 - 28/11/2023

8.1.2 Network Update - Community Safety Network Committee

Moved: Sharon Binns
Seconded: Councillor Morrison

THAT the Community Safety Advisory Committee recommends to Council:

1. THAT Report entitled Network Update - Community Safety Network Committee be received and noted.

2. THAT the Community Safety Advisory Committee notes the attached documents (Attachment 8.1.2.1 and Attachment 8.1.2.2) circulated by the Department of Health as a reference point for a discussion around volatile substance abuse prevention.

CARRIED CSAC10/32 - 28/11/2023

8.2 Receive and Note Reports

8.2.1 Infrastructure Safety Projects Update

Moved: Sharon Binns
Seconded: Councillor Morrison

THAT Report entitled Infrastructure Safety Projects Update be received and noted.

CARRIED CSAC10/33 - 28/11/2023

9 INFORMATION AND CORRESPONDENCE

9.1 Information

Nil

9.2 Correspondence

Nil

10 GENERAL BUSINESS

Nil

11 NEXT COMMITTEE MEETING

Initials: _____

MINUTES COMMUNITY SAFETY ADVISORY COMMITTEE MEETING - 28 NOVEMBER 2023 20



A Place for People

COMMITTEE MINUTES

Moved: Sharon Binns
Seconded: Fran Ramsey

THAT the next Community Safety Advisory Committee Meeting of Council be held on Tuesday, 26 March 2024 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED CSAC10/34 - 28/11/2023

12 CLOSURE OF MEETING

THAT the meeting of the Palmerston Community Safety Advisory Committee held in Council Chambers, Civic Plaza, Palmerston on 28 November 2023 at 6.24pm.

Chair

Print Name

Date

Initials:

MINUTES COMMUNITY SAFETY ADVISORY COMMITTEE MEETING - 28 NOVEMBER 2023

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