

23 May 2023

Further to the Community Forum held on Tuesday 28 February 2023, the Nhulunbuy Corporation provides the following update to issues raised during the forum.

Improvised bike obstacles adjacent Beagle bike track

The Corporation appreciated hearing from the community regarding their enthusiasm for the bicycle obstacles to remain. The complaints of residents which lead to consideration of removing the obstacles was primarily focused on use by motorcycles. It's reasonable to suggest that the continued use of the obstacles by pushbikes only is less concerning to residents.

On that basis the obstacles will remain for the foreseeable future, subject to:

- (a) their condition remaining suitable for continued use,
- (b) there being no further modifications to the obstacles which would increase the risk of injury to users to an unacceptable level, and
- (c) there being no use of the obstacles by motorcycles.

Users are reminded that these obstacles are directly adjacent to residential properties and the comfort of residents should be considered when utilizing this track.

Revised Animal Control By-laws

Consultation regarding revision of the Animal Control By-laws took place throughout 2022 via the following methods:

- The Nhulunbuy Corporation's website
- The Nhulunbuy Corporation's Facebook page
- The Gove Notice Board Facebook page
- The Nhulunbuy Notice Board Facebook page
- Gove FM
- The NT News

The Corporation met with and discussed the proposed changes with concerned residents who viewed the advertisements and responded to these requests for input. The Animal Control By-laws recently updated by the Corporation are broadly consistent with other councils. As an example, the City of Darwin Animal Management – General Policy No. 001 states that:

From 1 July 2019, pursuant to By-law 58 (1) of the Animal Management By-Laws, the number of dogs, declared dogs, class of dogs per premises shall be two (2), excluding those dogs registered as at 30 June 2019.

City of Darwin's policy contains provision to issue a licence for a third dog, under parameters similar to the Corporations. Similarly, Palmerston Council also require a resident to apply for a licence if they intend to keep more than two dogs at home. The Council notes that licences are only issued under exceptional circumstances.

Given the Corporation's By-Laws are consistent with established practices elsewhere, they will not be reviewed at this time.

Destruction of Dogs

The Corporation's by-laws allow an authorised person to determine, on the basis of suitable evidence, whether a dog should be destroyed. This is consistent with applicable legislation in the Northern Territory. As a check and balance, a right of appeal is included in the by-laws, for dog owners to provide reasons as to why a dog should not be destroyed. This right of appeal has been successfully applied in relation to a destruction order issued by the NCL, giving regard to the nature of the incident and mitigations the owner put in place to avoid a repeat offence. Any appeal for delay in a process will be favourably considered if the owner is gathering mitigating or supporting information.

Community members asked whether on each occasion the destruction of a dog was being considered, the Corporation would engage a subject matter expert (SME) to assess a dog's temperament. The Corporation believes it is not sustainable for ratepayers to accept the cost of engaging an SME to participate in each process. It is not a practice employed by other Councils. However, if an owner provides evidence to confirm that they have engaged an SME and require additional time for the SME to attend with the dog:

- (a) Access will be granted to the animal storage facility for the SME to engage with the dog, where access can be safely provided, and
- (b) A reasonable extension of time may be granted if needed for the SME to assess the dog fully.

Increased power and water tariffs

In response to community concerns regarding the normalization of electricity and water tariffs to mirror Power & Water's regulated rates, NCL can announce that Rio Tinto Gove Operations will apply a cost-of-living allowance (COLA) to partially offset the published increases for Q2, Q3 and Q4 of 2023.

A 10% COLA for NCL electricity customers will apply for Q2, Q3 and Q4 of 2023

A 20% COLA for NCL water customers will apply for Q2, Q3 and Q4 of 2023

Increased tip fees for Commercial Users (on lease)

In response to Nhulunbuy based businesses concerns regarding the 2023 increase in tip fees, a rebate will be applied for commercial on lease users as follows:

Q2 2023	33% rebate
Q3 2023	22% rebate
Q4 2023	11% rebate

We would like to thank all attendees at the Community Forum for their participation on the night.

Nhulunbuy Corporation