



HAVE
YOUR SAY

STATEMENT OF PROPOSAL


PROPOSED AMENDMENTS TO THE

WAIKATO DISTRICT COUNCIL
KEEPING OF ANIMALS BYLAW 2015

waikatodistrict.govt.nz

0800 492 452





This Statement of Proposal is made
for the purposes of Sections 83, 86 and 156
of the Local Government Act 2002.

IT INCLUDES:

- Background to the proposal
- Reasons for the proposal
- Summary of the proposed changes
- 'have your say' details

BACKGROUND

Waikato District Council must review all of its bylaws periodically. Section 158 of the Local Government Act 2002 (LGA) instructs Council to review all of its bylaws within 5 years of their having first been made, and then every 10 years thereafter.

The Keeping of Animals Bylaw was made in 2015 and is now being reviewed.

The purpose of the Bylaw is to prevent or mitigate any issues related to the keeping of animals, with particular reference to keeping of animals in such a way that they are likely to cause nuisance or health issues for either the animals or for people.

Section 10 of the LGA places responsibility on Council to ensure that it provides regulatory

oversight and functions that are efficient, effective and appropriate to present and future circumstances in the community.

The Bylaw has clauses that are applied generally to keeping of animals on private property, as well as clauses specific to the keeping of chickens, pigs, and bees.

Additionally, the Bylaw references the Health Act 1956, particularly regarding what is considered 'nuisance', what can be considered 'offensive'.

We have carefully reviewed the Bylaw and made amendments to it which we are now seeking community feedback on.

KEY CHANGES WE'RE PROPOSING TO MAKE



We are proposing a number of amendments to the current Bylaw. These amendments are to ensure that any potential issues related to keeping of animals that is considered to be nuisance behaviour is minimised or avoided. All changes are noted in the Proposed Amendments to the Bylaw, which are attached to this Statement of Proposal. The changes will affect the following Bylaw clauses.

- Clause 3.0 Definitions
- Clause 5.0 Keeping of Animals (general requirements)
- Clause 6.0 Keeping of Pigs - special requirements
- Clause 7.0 Keeping of Poultry - special requirements
- Clause 8.0 Keeping of Horses - special requirements



CLAUSE 3.0 DEFINITIONS

We are proposing changes to definitions currently included in the Bylaw, as well as additional definitions that will provide greater clarity to the bylaw.

What we're proposing

- Addition of definitions for *livestock*, *pet*, *pigsty*, and *rural area*
- Changes to the definitions for *poultry* and *urban area*

The most significant of these changes is to the definition for 'urban area' which has been expanded to include all residential areas, heavy industrial areas, rural residential areas, business areas, and town center zones.



CLAUSE 5.0 KEEPING OF ANIMALS

We are proposing the following change to Clause 5.0 of the Keeping of Animals Bylaw

What we're proposing

- Addition of Clause 5.8 'The keeping of lambs of no more than 4 months of age on properties in an urban area is restricted to 1 animal, for 60 consecutive days at a time, for no more than 60 total days per year.'

The change has been proposed to ensure that livestock are not kept in areas where they have the potential to or are likely to cause nuisance (noise, odour), but that there still be an ability for people to raise animals for occasions like Calf Club. Activities like participating in Calf Club are an important characteristic of the Waikato district.



CLAUSE 6.0 KEEPING OF PIGS

We are proposing to add a set-back clause in the Bylaw related to the keeping of pigs.

What we're proposing

- Addition of Clause 6.3 'No pigsty or pig run shall be erected closer than 20m from any dwelling, factory, or other building whether wholly or partially occupied, or within 30m of the boundary of any adjoining properties.'

The addition of a set-back clause is meant to minimise the potential for offensive odours to affect premises that neighbour those where pigs are kept.



CLAUSE 7.0 KEEPING OF POULTRY

We are proposing the following changes to Clause 7.0 - Keeping of Poultry.

What we've currently got

- Clause 7.1 - No person shall keep more than 12 head of poultry in an urban area

What we're proposing

- Change to Clause 7.1 - No person shall keep more than 6 head of poultry, pet or otherwise, in an urban area on premises less than 550m²
- Addition of Clause 7.2 - No person may keep more than 12 head of poultry, pet or otherwise, in an urban area on premises greater than 550m²

Council is proposing these changes in anticipation of urban areas changing - more intensive housing with less space and houses much closer together. Less poultry will help to mitigate nuisance that could be caused.



CLAUSE 9.0 KEEPING OF HORSES

We are proposing the following be added to the Bylaw as we've been receiving an increasing number of complaints related to the riding of horses in public spaces. We're also looking to address the keeping of horses on small urban premises with the proposed clauses.

What we're proposing

- Addition of Clause 9.1 - A minimum of 2 hectares of grazeable land per horse is required for the keeping of animals in urban areas, excluding Country Living Zones.
- Addition of Clause 9.2 - No manure which causes nuisance is to be left in a public place. It is the responsibility of the person in control of the horse (rider, owner or otherwise) to remove any manure deposited in a public place and safely dispose of it on the same day.

HAVE YOUR SAY



A number of changes have been proposed to the Waikato District Council Keeping of Animals Bylaw 2015. What do you think of the proposed changes? Did we get it right? Did we miss anything? You can let us know by making a submission on the proposals.

Consultation on the Bylaw opens on 2 December 2020 and closes on 25 January 2021 at 5pm. Submission forms and hardcopies of the Statement of Proposal, as well as the proposed amendments to the Bylaw are available for inspection at all Council offices and libraries. We will acknowledge all submissions received by responding either via email or post.

Hearing

Anybody who would like to support their submission verbally is welcome to do so at a meeting with the Committee to be held in February 2021. If you would like to share your thoughts on the proposed bylaw amendments at this meeting, please tell us in your submission and we'll get in touch with you to arrange a good time for this to happen. We know some people prefer to present their submissions via phone or audio-visually, so if this is something you would like to do we'll do our best to accommodate this.

Next steps

Following the hearing, Council will consider all submissions received and will make determinations based on the feedback. A finalised Bylaw is scheduled to be presented to the Policy & Regulatory Committee at their March 2021 meeting, where the Committee is scheduled to recommend to Council that they adopt the Bylaw at their April 2021 meeting.

RELEVANT DETERMINATIONS



This Statement of Proposal has been prepared in accordance with the requirements set out in s.83 of the Local Government Act 2002 (LGA). Council, has determined as required by s. 155 of the LGA that:

- This Bylaw is the most appropriate way of addressing the perceived problem
- This is the most appropriate form of Bylaw
- This Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

SUBMISSIONS CAN BE:

ONLINE:

www.waikatodistrict.govt.nz/sayit



POSTED:

Waikato District Council
Private Bag 544
Ngaruawahia 3742



DELIVERED:

Waikato District Council
Attn: Corporate Planner
15 Galileo Street, Ngaruawahia 3742



EMAILED:

consult@waidc.govt.nz
Subject heading should read:
'Keeping of Animals Bylaw –
Submission'



Huntly Office
142 Main Street, Huntly 3700

Raglan Office
7 Bow Street, Raglan 3225

Tuakau Office
2 Dominion Rd, Tuakau 2121

Te Kauwhata Office
1 Main Road, Te Kauwhata 3710

WHAT HAPPENS NEXT?

Council will acknowledge each submission received in writing, either by letter or email.

Following the closing of submissions on 25 January 2021 all submissions will be reviewed. Verbal submissions will be heard and all submissions formally considered at a Council meeting in February of 2021 (or as soon thereafter as possible).

This meeting is open to both submitters and the public to attend.

IMPORTANT DATES TO REMEMBER:

SUBMISSIONS OPEN – 2 December 2020

SUBMISSIONS CLOSE – 25 January 2021

HEARING OF SUBMISSIONS – February 2021

If you have any further queries or would like further copies of the proposed Bylaw, please contact Stacey Solomon on 0800 492 452.



waikatodistrict.govt.nz



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0800 492 452



For internal use only:

ECM project # PR-1551-02

ECM #

Submission #

Customer #

Property #

Proposed Amendments to the Waikato District Council Keeping of Animals Bylaw 2015

Submission Form. Please provide your feedback by 5pm Monday 25 January 2021

Name/Organisation

Postal address **Postcode**

Email

Would you like to present your submission to Council at the Hearing? Yes No

If you would like to present at this hearing, please ensure that the details section above has been completed and we will be in touch to arrange a time for you to be heard.

Council has reviewed and is now proposing a number of changes to the Keeping of Animals Bylaw 2015. Do you think we got these right? Let us know.

Clause 3.0 Definitions

Do you support the proposed changes? Yes No

Please tell us why:

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Clause 5.0 Keeping of Animals

Do you support the proposed changes? Yes No

Please tell us why:

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Clause 6.0 Keeping of Pigs

Do you support the proposed changes?

Yes No

Please tell us why:

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Clause 7.0 Keeping of Poultry

Do you support the proposed changes?

Yes No

Please tell us why:

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Clause 8.0 Keeping of Horses

Do you support the proposed changes?

Yes No

Please tell us why:

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Anything else to tell us?

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Prefer to do it online?

You can complete the submission form online at www.waikatodistrict.govt.nz/sayit

Need more information

For more information, visit our website www.waikatodistrict.govt.nz

Privacy statement

The contents of your submission (not including your address, email and age) will be made public through Council agendas and as result will be published on our website. If you would like your name also kept confidential, please let us know on your submission form.