



## Wairarapa Consolidated Bylaw 2019

### Part Six

### Keeping of Animals, Poultry and Bees

## Commencement

The Wairarapa Consolidated Bylaw 2019 came into force throughout the Masterton, Carterton and South Wairarapa districts on 8 July 2019.

## Adoption

Council	Bylaw/Amendments	Adoption Date
Masterton District Council	Consolidated Bylaw 2012: Parts One to Eighteen	14 August 2013
South Wairarapa District Council	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	31 July 2013
Masterton District Council Carterton District Council South Wairarapa District Council	Wairarapa Consolidated Bylaw 2019: Part Six - Keeping of Animals, Poultry and Bees	26 June 2019

# Wairarapa Consolidated Bylaw 2019

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## Part 6 – Keeping of Animals, Poultry and Bees

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### Referenced Documents

Reference is made in this document to the following New Zealand legislation:

- Health Act 1956
- Local Government Act 2002

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## Foreword

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This Part of the bylaw is made under section 146 of the Local Government Act 2002 (LGA) and section 64 of the Health Act 1956. This Part draws on New Zealand Standards 9201 series Keeping of Animals, Poultry and Bees Bylaw.

Reference should be made to the Wairarapa Consolidated Bylaw 2019: Part 1 - Introductory for any definitions not included in this Part.

If any provision of this Part is inconsistent with Part 1 – Introductory, then the provisions of this Part prevail.

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## 1. Scope

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- 1.1. The purpose of this Part of the bylaw is to outline requirements for the keeping of animals, poultry and bees, in order to protect neighbours and property owners.

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## 2. Definitions

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**Excrement:** Waste matter discharged from the bowels.

**Owner:** Every person who:

- a. owns the animal; or
- b. is the parent or guardian of a person under the age of 17 years who:
  - (i) is the owner pursuant to paragraph (a) of this definition; and
  - (ii) is a member of the parent or guardian's household living with and dependent on the parent or guardian.

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## 3. Keeping of Animals

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- 3.1. Every person keeping an animal shall ensure that the animal is kept in a manner that:
- a) does not, or is not likely to, cause a nuisance (including, but not restricted to, noise and odour) to any person; and
  - b) the conditions in which the animal is kept are not offensive or injurious to human health.

In the Masterton district this shall apply to urban areas only.

- 3.2. If an authorised officer is of the opinion that clauses 3.1(a) or 3.1(b) of this Part of the bylaw are being breached, taking into account amenity value and local conditions in the particular situation, they may issue a notice requiring the person keeping the animal, or the owner or occupier of the private land, to take such action as is considered necessary within any reasonable time specified to abate the nuisance or conditions. The person issued with such a notice shall comply with the notice.

In the Masterton district this shall apply to urban areas only.

- 3.3. No person keeping animals shall allow animal excrement to collect to the extent that it causes a nuisance, and shall dispose of it in a manner that does not cause a nuisance.

- 3.4. Every person keeping an animal, other than cats, pigeons, and doves, shall be responsible for ensuring that the animal is caged or otherwise restrained within the boundaries of the private land on which it is kept.

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#### **4. Keeping of Pigs**

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- 4.1. No pigs shall be kept in any urban area.

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#### **5. Keeping of Cats**

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- 5.1. No person shall keep, on any residential property in the district, more than three cats of age three months or more, for a period exceeding 14 days, without the permission of an authorised officer.

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#### **6. Keeping of Poultry**

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- 6.1. No person shall keep poultry that by noise, odour, flies, insects, or vermin causes or is likely to cause a nuisance or create a danger to public health.
- 6.2. In the Masterton and Carterton Districts, no person shall keep, or allow to be kept or to remain on any premises within an urban area, any poultry except in a poultry house or otherwise confined within the owner's or occupier's property.
- 6.3. In the South Wairarapa District, no person shall keep, or allow to be kept or to remain on any premises within an urban area, any poultry except in a poultry house, mobile poultry cage, poultry run, aviary or coop.
- 6.4. Written approval of Council is required if a person in an urban area wants to keep more than 12 poultry.
- 6.5. All poultry kept within an urban area must have access to a properly constructed poultry house, aviary or coop covered with a rainproof roof and provided with a floor of concrete, wood or earth.
- 6.6. No poultry house, aviary, coop or poultry run shall be erected or maintained within 10 metres of any neighbour's principal building or within two metres of the boundary of adjoining premises.
- 6.7. No person shall keep a rooster or allow a rooster to be kept in an urban area.

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#### **7. Keeping of Bees**

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- 7.1. No person shall keep bees if, in the opinion of an authorised officer, the keeping of bees has become a nuisance or annoyance to any person or potentially dangerous or injurious to health.
- 7.2. An authorised officer may prescribe conditions relating to the location and number of hives able to be kept on any premises or place within an urban area.

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## **8. Noise from Animal, Bird or Poultry**

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- 8.1. No person shall keep on any premises in an urban area, any noisy animal which causes a nuisance to residents in the neighbourhood.

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## **9. Dead Animals**

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- 9.1. No person shall permit, or allow to remain, any dead animal or vermin on any private property, land, premises or public place. For the purposes of clauses 9.1 and 9.2, the term animal includes dogs.
- 9.2. When buried in the ground, every part of the animal is to be at least 0.5 metres below the existing ground level and covered with not less than 0.5 metres of compacted fill material.

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## **10. Offences and Penalties**

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- 10.1. Any person who breaches this Part of the bylaw commits an offence and may be liable to a penalty under section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw 2019 Part 1: Introductory (Section 15) for details of what constitutes a breach of this Part.