



**KAWERAU DISTRICT COUNCIL**  
**General Bylaw: Control of Stock, Poultry and Bees (2019)**

## **Kawerau District Council**

### **General Bylaw: Control of Stock, Poultry and Bees (2019)**

#### **Explanatory Statement**

The General Bylaw: Control of Stock, Poultry and Bees (2019) is one part of the Kawerau District Council General Bylaw. It outlines requirements for keeping stock animals, poultry and bees in urban areas of the Kawerau District. These are necessary to protect the public from nuisance and to protect, promote and maintain public health and safety.

The bylaw is made pursuant to Part 8 of the Local Government Act 2002 and section 64 of the Health Act 1956.

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# Kawerau District Council General Bylaw: Control of Stock, Poultry and Bees (2019)

## 1 Title and commencement

This part of the Kawerau District Council General Bylaw shall be known as the Kawerau District Council General Bylaw: Control of Stock, Poultry and Bees (2019). It comes into force on 1 January 2019.

## 2 Repeal

The Kawerau District Council General Bylaw Part 7: Keeping Animals, Poultry and Bees (2012) is hereby repealed.

## 3 Purpose and scope

The purpose of this part of the bylaw is to outline the requirements for keeping stock, poultry and bees in urban areas of the Kawerau District. The requirements are necessary to protect people from nuisance and to protect, promote and maintain public health and safety.

## 4 Exclusions

- 4.1 This part of the bylaw does not apply to pet animals such as cats, caged birds, pet rabbits and dogs. Dog control is provided for under the Kawerau District Council Dog Control Bylaw.
- 4.2 This part of the bylaw does not address animal welfare matters. Animal welfare is dealt with by the Ministry of Primary Industries and the Society for the Prevention of Cruelty to Animals.

## 5 Interpretation

For the purposes of this part of the bylaw, unless the context requires otherwise or where otherwise expressly provided:

**Animal** means any member of the animal kingdom, including any mammal, bird, finfish, shellfish, reptile, amphibian, insect or invertebrate and includes the carcass or constituent parts thereof, but does not include human beings or dogs.

**Control** means that the owner shall keep that animal on a restraint or confined within a vehicle or other suitable container while in a public place. The owner must also be capable of controlling the animal while it is on the restraint, and have the power of directing or commanding the animal while it is off the restraint in private and permitted areas. Without limiting the generality of the foregoing, an animal shall be deemed to be not under control if it:

- (a) causes annoyance or distress to any person or animal or damage to property;
- (b) is found at large in any public place;
- (c) becomes a nuisance or injurious to health;

(d) becomes a nuisance or annoyance to residents in the neighbourhood through noise or by obstructing the lawful passage of one or more people in public places, or by rushing at or frightening such persons.

**Pet animal** means any animal kept primarily for a person's company or enjoyment rather than as a working or stock animal.

**Poultry** means any live bird that is kept or raised for the purpose of producing eggs, hatching eggs or poultry products, and includes chickens, ducks, geese, peacocks, peahens, pheasants, roosters and swans but not emus and ostriches.

**Stock** means sheep, goats, pigs, horses, cattle, deer, llamas, rabbits, emus, ostriches and any other animal herded, mustered or handled in the manner of a farm animal or kept within a fence or enclosure for farming or grazing.

**Urban area** means any part of the district other than an area zoned 'Rural Lifestyle' in the Operative Kawerau District Plan, as shown in the attached map.

## **6 Stock and poultry permitted in urban area**

6.1 Council may issue a permit to keep stock and poultry in an urban area on application by the owner of the property where the animal(s) will be kept.

6.2 Every such permit is subject to the permit provisions of this bylaw.

## **7. Tethering and driving stock**

7.1 No person shall tether or otherwise leave any stock on any vacant section or on any public place (including public roads and berms) in an urban area for the purpose of grazing or de-pasturing.

7.2 Every person who drives stock in any public place is required to drive them continuously and at reasonable speed toward a definite destination without deviation and to use the most direct route, or the route directed by an authorised officer.

## **8. Stock animals permitted as pets**

8.1 Council may issue a permit for any stock animal to be kept as a pet in an urban area.

8.2 Every such permit is subject to the permit provisions of this bylaw and may contain any additional reasonable conditions prescribed by an authorised officer.

## **9. Permit provisions**

- 9.1 Every permit application shall provide identification details of each animal to be kept and be subject to inspection by an authorised officer of the property where the animals are to be kept.
- 9.2 Every permit will be subject to the current Council standard, including the number of animals, fencing, shelter, feeding, for keeping animals of that type.
- 9.3 The term of any permit is 12 months. Renewal is subject to the same requirements as a first application.
- 9.4 The keeping of any rooster, peacock, stallion, boar, entire bull or billy goat is prohibited in urban areas.
- 9.5 Any instance where an animal subject to a permit is not under control is the responsibility of the permit holder and will result, in addition to any other sanction, in the permit being immediately revoked.

## **10. Bee keeping**

- 10.1 Bee keepers have a legal obligation to register their apiary(ies) under the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998. This is intended to protect honey bees from American foulbrood disease and allows the Ministry for Primary Industries to carry out surveillance and respond to any incursion. Registrations are processed byASUREQuality Ltd and registration codes are required to be displayed in a visible manner in each apiary, usually on a beehive.
- 10.2 Bee keeping is allowed in the Kawerau District subject to bee keepers:
  - Ensuring their bees do not cause a nuisance to any other person
  - Ensuring their bees do not cause a risk to public health and safety
  - Obtaining Council approval to keep bees in a public place; and
  - Complying with any standards for the keeping of bees made by Council.

## **11. Slaughtering stock animals and animal remains**

- 11.1 Every animal carcass must be hung or otherwise stored in a manner which is not injurious to public health or could cause a nuisance.
- 11.2 All carcasses, body parts, bodily fluids or effluent from any slaughtered animal must be disposed of in a manner which does not produce any odour or nuisance, or otherwise causes a threat to public health.
- 11.3 Stock animals may be destroyed in an urban area only if necessary for humane reasons and carried out humanely.

**Revocations and changes**

The Kawerau District Council General Bylaw: Control of Stock, Poultry and Bees (2019) is duly made by a resolution passed at a meeting of the Kawerau District Council held on 11 December 2018, following a special consultative procedure.

The Common Seal of the  
**Kawerau District Council**  
was affixed hereto in the presence of:

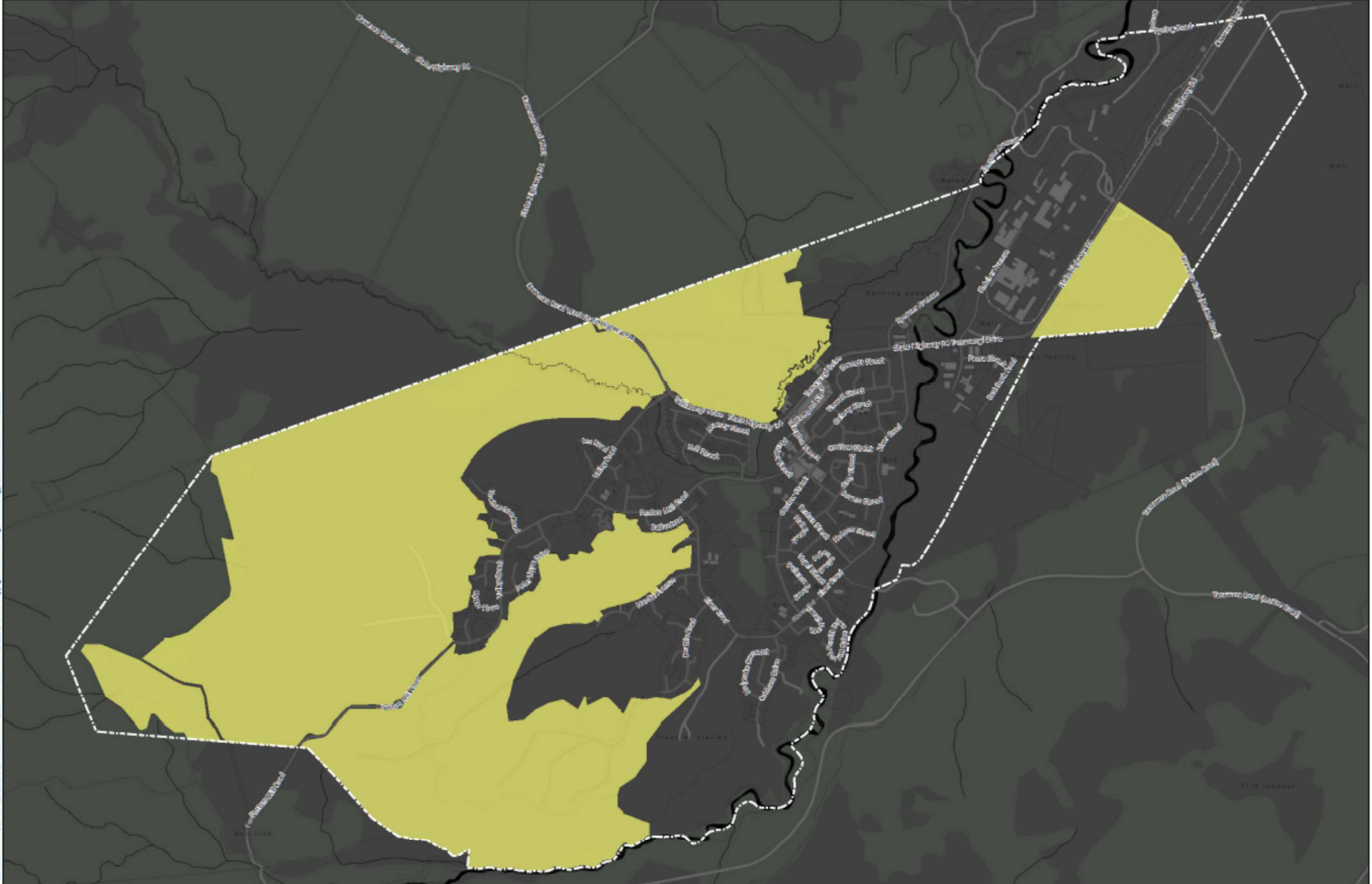
.....  
Mayor

.....  
Chief Executive Officer

.....  
Date

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**Kawerau District Plan**

0 100 200 400 600 800 1,000  
 1:20,000 @ A3  
 Mapping by Koffa Mead | www.koffamead.co.nz



■ Rural Lifestyle