

## Engagement Plan

### Animal Control Bylaw Review - 2018

#### Project description and background

Council is required to review its Animal Control Bylaw. The existing Bylaw has been considered and amended in conjunction with the Policy/Planning Committee. There are a number of changes:

- Increasing clarity
- Permit system for bees in urban areas
- Fee for permits
- Increase provision for written dispensation
- Wider definition for nuisance
- Setback for bee hives in rural areas

#### Engagement objectives

The purpose of the engagement is to obtain the community's view of:

- Whether the community supports the draft Bylaw.
- Whether the communities of Koitiata, Scotts Ferry, Ohingaiti, Mangaweka, Utiku, Ratana, still wish to be included in the urban area restrictions.
- Bees - Proposed permit system for urban areas.
- Bees – Proposed setback from roads – 5m.
- Cats - Whether Council should invest money in a de-sexing programme.
- Fees – permit costs. Should they include permits for bee hives.

#### Timeframe and completion date

The period of community engagement will be a minimum of one month followed by analysis and reporting back to council, subsequent amendment (if required) and final adoption.

Key project stages	Completion date
Draft Bylaw recommended to Council by Policy/Planning Committee	<b>9 August 2018</b>
Draft Bylaw approved by Council for community engagement	<b>25 October 2018</b>
Community engagement (written submissions)	<b>1 November 2018</b>
Community engagement (oral submissions)	<b>13 December 2018</b>
Analysis of written and oral submissions circulated	<b>25 January 2019</b>

Key project stages	Completion date
Oral and written submissions considered by Council. Adoption.	31 January 2019
Bylaw published	TBC

### Communities to be engaged with

- The entire Rangitikei District community
- Community Boards and Community Committees
- Residents group at Scotts Ferry and Koitiata
- Te Roopu Ahi Kaa

### Engagement tools and techniques to be used

Engagement Spectrum position desired: **Council seeks opinions**

Community group or stakeholder	How this group will be engaged
Rangitikei District community	Website Rangitikei Line Printed media Council service centres
Community Committees and Community Boards	Agenda note – August 2018, also December 2018 Email all committee members – consultation details.
Residents groups at Scotts Ferry and Koitiata	Information provided to the Chairs of these groups.
Te Roopu Ahi Kaa	Agenda note – August 2018, also November 2018

### Resources needed to complete the engagement

- Staff time
- Adverts in the newspapers
- Printing costs

### Communication planning

#### Key messages

- Council wants community feedback.
- There are some problems which need to be resolved.
- No final decisions have been made.

**Reputation risks**

- That the community does not think their submission will make a difference.
- Decisions becoming controversial.

**Basis of assessment and feedback to the communities involved**

Following the close of written submissions and the completion of oral hearings, the project leader will prepare an analysis of the communities’ views. Council will consider this report and decide whether any changes should be made to the Bylaw. Every submitter will receive a response notifying them of Council’s decision.

**Project team roles and responsibilities**

Team member	Role and responsibilities
Michael Hodder	Project sponsor
Blair Jamieson	Project leader



# SUMMARY OF INFORMATION

## Animal Control Bylaw Review 2018

### Reason for the proposal

Council currently has an Animal Control Bylaw which has the purpose of:

- Controlling the keeping of animals within the district to ensure they do not create a nuisance or endanger health
- Enabling Enforcement Officers to manage animal nuisance in the urban area; and
- Regulating the slaughtering of animals in urban areas.

*Note: the Bylaw does not apply to dogs, the control of which is provided for under the Rangitikei District Council Control of Dogs Bylaw and relevant legislation.*

This Bylaw is due for review and Council has proposed a number of changes which it thinks will make the Bylaw more effective.

### Key aspects of the proposal

The existing Bylaw current has restrictions generally for the keeping of animals, so that they do not create a nuisance, as well as, specific restrictions/criteria in urban areas for cats, poultry, bees, pigs, grazing of stock and animal slaughter.

Council are suggesting a number of changes:

Proposed change	Rationale
Introducing a written dispensation (permit) system for bees in urban areas	Currently beehives in urban areas are permitted, however, have created a number of issues (flight paths, health and safety). A permit system would ensure consultation with neighbours, consideration of the number and location of hives put on a property prior to them being placed on the property.
Introducing a fee for written dispensation - \$50 This would exclude applications for up to 2 beehives.	This would introduce a user-pays aspect of implementation of the Bylaw. If there is no payment by the individual for the written dispensation, then the whole cost of implementing the Bylaw falls on the wider ratepayers. The exemption for 2 or less beehives is to acknowledge the benefit that bees have for ecosystems.
Introducing a setback for bee hives from roads	There have been safety concerns raised with cyclists being stung by bees from beehives located close to the road. A setback will help to reduce the number of bees right next to the road, therefore, reducing the risk.
Increasing the ability for restricted activities to be	Currently some activities which are restricted in urban areas have the ability to be given written dispensation and some do

provided with written dispensation	not. This change would allow written dispensation for all restricted activities.
Widening the definition of a nuisance	Currently the definition of a nuisance is restricted to noise or odour. However, nuisances that can be created are much wider than just noise or odour, therefore, the definition has been widened.
Increasing clarity	Increasing clarity of the provisions will make the implementation of the Bylaw easier for the community and staff to interpret.

### Feedback sought

Council wishes to have community feedback on all aspects of the Bylaw, but specifically wishes to obtain the community's view of:

- Whether the communities of Koitiata, Scotts Ferry, Ohingaiti, Mangaweka, Utiku, Ratana, still wish to be included in the urban area restrictions.
- Bees – Whether the community agrees with the proposed permit system for bees in urban areas.
- Bees – Whether the community agrees with the proposed setback of beehives from roads – 5m.
- Cats - Whether Council should invest money in a de-sexing programme.
- Fees – Whether the community supports Council introducing a fee for written dispensation (permits).

### Submissions

Written submissions from the community are open until noon on **3 December 2018**.

Parties who make a written submission may also make an oral submission. Oral submissions are scheduled in the morning Thursday 13 December 2018 at the Council Chambers in Marton. You need to indicate on your submission form if you wish to speak to your submission.

### Further information

Further information, including the Statement of Proposal and a submission form, is available at the following places:

- Council's website [www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)
- Council's libraries in Marton, Bulls and Taihape
- Council's Main Office in Marton
- By calling 0800 422 522

If you have any questions please contact Blair Jamieson, Strategy and Community Planning Manager.



# ANIMAL CONTROL BYLAW 2018

<b>Date of adoption by Council</b>	tbd
<b>Resolution Number</b>	tbd
<b>Date by which review must be completed</b>	10 years after adoption

## 1 COMMENCEMENT

1.1 This bylaw comes into force on [INSERT DATE]..

## 2 SCOPE

2.1 This bylaw is made under the authority given by:

a) Sections 145 and 146(a)(v) of the Local Government Act 2002; and

## 3 PURPOSE

3.1 The purpose of this bylaw is to:

a) Control the keeping of animals within the district to ensure they do not create a nuisance or endanger health;

b) Enable Enforcement Officers to manage animal nuisance in the urban area; and

c) Regulate the slaughtering of animals in urban areas.

3.2 This Bylaw does not apply to dogs, the control of which is provided for under the Rangitikei District Council Control of Dogs Bylaw and relevant legislation.

## 4 INTERPRETATION

4.1 For the purposes of this bylaw, the following definitions apply:

**ENFORCEMENT OFFICER** means an authorised officer of Rangitikei District Council or an officer of the New Zealand Police.

**HOUSEHOLD UNIT** means all land and buildings within a single rating unit.

**NUISANCE** means, without limiting the term “nuisance” any unreasonable interference with the peace, comfort or convenience of another person, whether by way of excessive noise, offensive odours, accumulation of deposits, or the keeping of any animal carcass, or part of a carcass as determined by an enforcement officer.

**POULTRY** means caged or free range poultry, and includes chickens, peacocks, geese, ducks, turkeys and domestic fowls of all descriptions.

**URBAN AREA** includes any property zoned as Residential, Commercial and Industrial under the operative District Plan (i.e. does not include Rural Living and Rural Zones), but excludes the properties in Crofton, Mataroa, and Turakina zoned Residential.

**STOCK** means cattle, sheep, horses, deer, donkeys, mules, goats, pigs, alpacas, llamas, of any age or gender.

**STOCK UNIT (SU)** is taken to have the same meaning as in the Statistics New Zealand Glossary, i.e. one 55 kg ewe rearing a single lamb. Under this definition, for example, 1 hogget = 0.7 SU; 1 Jersey cow = 6.5 SU; 1 mature Red Deer stag = 1.5-2.0 SU

**DISPENSATION** means every dispensation under this Bylaw. All dispensations will be reviewed at least every three years.

## **5 KEEPING OF ANIMALS**

- 5.1 No person shall keep any animal in such a manner or in such conditions, which in the opinion of an enforcement officer, creates a nuisance or causes a threat to public health or safety.
- 5.2 It is the responsibility of any person keeping an animal to confine the animal within the boundaries of the premises where the animal is being kept, except for bees or where an animal is being led, driven, ridden or exercised.

## **6 CATS**

- 6.1 No person shall keep more than three cats over three months of age on any household unit in any urban area, unless given a written dispensation by an enforcement officer.
- 6.2 Clause 6.1 shall not apply to any veterinary clinic, SPCA shelter, or registered breeder as accredited under the Cattery Accreditation Scheme operated by the New Zealand Cat Fancy.

NOTE: Boarding or breeding establishments for more than 15 cats requires resource consent under the operative District Plan.

## **7 POULTRY**

- 7.1 No person shall keep more than 12 head of poultry on any household unit in any urban area, unless given a written dispensation by an enforcement officer.
- 7.2 No poultry house shall be erected or maintained so that any part of it is within 10 metres from any dwelling in an urban area, or within 2 metres of any property boundary.
- 7.3 Every poultry house and poultry run shall be maintained in good repair, and in a clean condition free from any offensive smell or overflow, and free from vermin.

7.4 No person shall keep any rooster in any urban area, unless given a written dispensation by an enforcement officer.

7.5 No person shall keep a rooster in such a manner that at any time the rooster can come within 100 metres of a boundary with any urban area, unless given a written dispensation by an enforcement officer

## **8 BEES**

8.1 No person shall keep bees in any urban area, unless given a written dispensation by an enforcement officer. .

8.2 When considering whether to grant a written dispensation, the authorised officer will take into account potential nuisance issues or the potential effects of the beehives on people with serious bee allergies.

8.3 Beehives must be setback at least 5 metres from any road boundary.

## **9 PIGS**

9.1 No person shall keep pigs within any urban area, unless given a written dispensation by an enforcement officer.

9.2 No person shall keep pigs in such a manner that at any time the pigs can come within 25 metres of a boundary with any urban area, unless given a written dispensation by an enforcement officer.

## **10 GRAZING STOCK IN URBAN AREAS**

10.1 No person shall keep stock at a stocking rate greater than 1 stock unit per 1000 square metres of grazeable pasture within any urban area, unless given a written dispensation by an enforcement officer.

NOTE: Refer to the Rangitikei District Council Stock Droving and Grazing Bylaw for regulations on the grazing of road reserves and movement of stock within the District.

## **11 ANIMAL SLAUGHTER**

11.1 No person shall slaughter any stock in any urban area, unless given a written dispensation by an enforcement officer.

11.2 No person shall slaughter any stock within 100 metres of a boundary with any urban area, unless given a written dispensation by an enforcement officer.

NOTE: It is an offence under the Health Act 1956 to leave animals or animal carcasses in a state where they are offensive or injurious to health. It is an offence under the Resource Management Act 1991 to contaminate waterways with animal remains. It is an offence under the Biosecurity (Meat and Food Waste for Pigs) Regulations 2005 to feed pigs untreated meat or untreated food waste. It is an offence under the Rangitikei



District Council Control of Dogs Bylaw to allow any dog to be fed or have access to any untreated sheep or goat meat.

## **12 OFFENCES AND PENALTIES**

12.1 Everyone commits an offence against this Bylaw who:

- a) Does, or causes to be done, or permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided for in this Bylaw.
- b) Omits, or neglects to do, or permits, or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw, ought to be done at the time and in the manner therein provided.
- c) Does not refrain from doing anything which under this Bylaw they are required to refrain from doing.
- d) Permits or suffers any condition of things to exist contrary to any provision contained in this Bylaw.
- e) Refuses or neglects to comply with any notice duly given under this Bylaw.
- f) Obstructs or hinders any enforcement officer in the performance of any duty to be discharged by such officer under or in the exercise of any power, conferred by this Bylaw.
- g) Fails to comply with any notice or direction given in this Bylaw.

12.2 Any breach of this bylaw is an offence and liable to summary conviction and a fine not exceeding \$20,000, in accordance with Section 242(4) of the Local Government Act 2002.

