

**WAIMATE DISTRICT CONSOLIDATED BYLAW 2018****CHAPTER 18****18 THE KEEPING OF ANIMALS, POULTRY AND BEES****Scope**

The purpose of this chapter of the Bylaw is to set out the requirements for the keeping of animals, poultry and bees in urban and business areas, as defined by the District Plan.

These requirements do not generally apply in other than urban and business areas excepting that any animals or poultry kept on any site throughout the District are expected to be contained within the property of the owner. In some instances, distance and the area of the property involved will provide adequate containment.

These requirements are deemed necessary for the protection of the amenities and for public safety.

**1801 Containment of animals and poultry**

1801.1 Any animal and any poultry kept on any property within the District shall be effectively contained or restrained within the property of the owner by fence, tether, pen, run or cage so as to prevent such animal or poultry straying onto any neighbouring property or onto any road or public place. Effective measures must be taken to ensure stock do not damage or eat other persons' trees, shrubs or vegetation. This clause shall not apply to domestic cats.

**1802 Pig keeping**

1802.1 Except in accordance with the District Plan and/or a resource consent under the Resource Management Act 1991 no person shall keep or allow to be kept any pig in the Waimate District. A pig or pigs shall not be kept in any urban zoned area.

**1803 Stock in urban areas**

1803.1 Any person keeping stock in an urban area of Waimate District shall ensure that premises where stock are kept meet the provisions of the First Schedule of this chapter of the Bylaw.

**1804 Poultry keeping**

1804.1 In areas other than those zoned rural no poultry caged or otherwise (which shall include geese, ducks, pigeons, turkeys, and domestic fowls of all descriptions) shall be kept except in a properly constructed poultry house covered in with a rainproof roof and provided with a floor of concrete or other approved material with a surrounding nib wall, to which may be attached a poultry run.

1804.2 Every poultry house shall be constructed in the manner required by this chapter of the Bylaw and as required by the provisions of the Building Act 2004.

- 1804.3 No poultry house or poultry run shall be erected or maintained any part of which is within 10 metres from any dwelling, factory, or any other building, whether wholly or partially occupied, or within 5 metres of the boundary of adjoining premises, or such greater distance as may be required under the provisions of the District Plan.
- 1804.4 Every poultry run of whatever size shall be so enclosed as to confine the poultry within such poultry run which may be mobile.
- 1804.5 No more than 12 head of poultry shall be kept on an urban property (see 1804.6 for exclusions).
- 1804.6 The keeping of roosters and peacocks is only allowed, subject to written consent of Council. The consent will be at the pleasure of Council and may contain specific conditions regarding the consent.

### **1805 Noise from animal, bird, or poultry**

- 1805.1 No Person shall keep within any premises any noisy animal, bird, or poultry which shall be or cause a nuisance to residents in the neighbourhood:

Provided that no proceedings shall be taken against any person for an offence under this chapter of the Bylaw until after the expiration of 14 days from the date of the service on such person of a notice alleging a noise nuisance given by Council after receipt by it of a complaint, signed by not less than three householders residing within hearing of the animal, bird or poultry causing the alleged nuisance.

- 1805.2 Animals, birds or poultry shall be kept only in conditions and such manner or numbers which do not cause or have the potential to cause nuisance.

Where Council considers the keeping of animals, birds or poultry is in such numbers or conditions to be a nuisance, or have the potential to cause nuisance, it may restrict the numbers or require complete removal of any animals, birds or poultry.

### **1806 Beekeeping**

- 1806.1 In areas, other than those zoned rural in the District Plan, persons keeping bees must ensure no nuisance is caused to neighbours by those bees.
- 1806.2 Where Council considers a hive to be dangerous, offensive or likely to be injurious to any person it may require the removal of such a hive.
- 1806.3 Beekeepers shall have regard to associated Biosecurity legislation current at the time.

### **1807 Non-compliance**

If there is non-compliance with any of the Council requirements, animals or stock may be required by a Council officer to be removed from the property.

**WAIMATE DISTRICT CONSOLIDATED BYLAW 2018****CHAPTER 18****THE KEEPING OF ANIMALS, POULTRY AND BEES****FIRST SCHEDULE****BYLAW POLICY            CONDITIONS RELATING TO STOCK KEPT ON URBAN PROPERTIES****SUBJECT:                    CLAUSE 1803.1 – STOCK IN URBAN AREAS**

- 1            Fences must in the opinion of Council, be adequate to prevent Animals from wandering and all road gates to paddocks must be able to be securely fastened. In addition, an effective restraining wire shall be placed 1 metre from any neighbouring residential property.
- 2            Stock shall not be kept in such number, manner, or of such size that in the opinion of the Council would cause a nuisance.
- 3            Any electric fencing in the urban area must be:
  - (a)    At least 1 metre from any boundary line and 1 metre from any neighbouring residential property;
  - (b)    Suitably labelled to indicate that the fence is electrified;
  - (c)    Checked daily to ensure it is operating correctly.
- 4            Adequate water supply must be provided in an appropriate position on any area used to keep animals.
- 5            Where natural feed on the section becomes insufficient, the animals (except horses) are to be removed. Feeding in for horses is permitted, provided no nuisance arises.
- 6            Manure and any other offensive material is to be removed daily and disposed of in a way that avoids nuisance.
- 7            The minimum area for the keeping of horses shall be not less than 2023 square metres for each horse (½ acre).
- 8            The owner of any property, of area greater than 2000 square metres and which is rezoned residential, may seek exemption from these requirements provided that non-compliance does not create a nuisance for any adjoining property owner.

