

Submissions on the draft Animals and Bees Bylaw – General issues

Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
Overall bylaw philosophy	10, 31, 38, 41,43, 47, 51, 55	<p>Bylaw Rationale</p> <ul style="list-style-type: none"> – While I am sure there are great reasons to ban roosters or desex cats nowhere is it made explicitly clear why – We have the right to understand the reasoning, or lack therefore, behind creating bylaws so that we can decide whether we support or oppose the reasoning behind such laws – Query rationale for new rooster clauses – Punitive measures seldom work they just get ignored by most people – Needs to be a bylaw not just education around safety, etiquette and welfare relating to the bylaws around cats 	<p>Bylaw Rationale</p> <p>The rationale for the bylaw is contained within previous council reports on the bylaw including the Section 155 LGA report and the report seeking approval to consult on the draft bylaw.</p> <p><i>Officers will ensure in future bylaw reviews that the community are aware of the documentation leading to consultation on the draft bylaw so that they can better understand the rationale behind the bylaw. No change to the bylaw is required.</i></p>
		<p>Legislative Powers</p> <ul style="list-style-type: none"> – Council already have the power to intervene when there is an issue with public health or nuisance under the Health Act 1956 	<p>Legislative Powers</p> <p>A submitter recommended Council uses the powers under the Health Act rather than have a bylaw made under the LGA provisions. There are bylaw-making provisions under s64(1)(m) of the Health Act for keeping animals as well as those noted below in the LGA. The Health Act gives Council the power to respond more quickly so there is benefit in making the bylaw under both legislative mechanisms. Officers are comfortable in retaining the references to both enabling pieces of legislation in clause 2.1.</p> <p><i>No change recommended to the purpose of the bylaw stated in Clause 2.1.</i></p>
		<p>Animal Welfare</p> <ul style="list-style-type: none"> – Needs to be respect for people and property; animals need room to grow – Section 2.2 (bylaw purpose) places the only focus on benefitting people but consultation material also refers to bylaw being supported with an education programme which will also focus on “advocating best practice animal care”. Would like to see support or protection of animal welfare being one of the goals of this bylaw – Assuming that the welfare of cats to avoid neglect is covered by other legislation; if not the bylaw needs to cover this matter – Good to see some reference to compliance with the Animal Welfare Act and obligations under the associated codes of welfare – Suggests that an extra condition added specifying that no person may keep animals in a way that, in the opinion of an authorised officer, causes or is likely to cause injury to the health or safety of that or any other animal – Clause 6 relates solely to nuisance to people; there needs to be consideration to animal welfare issues when the PNCC gives right to individuals to trap and destroy cats that are not their own – Avoiding harm and distress to animals is expected and desired by the community and is also an important component of keeping the community safe – Recommends the development of an education programme to target animal owners and residents on safety, protection and etiquette around keeping animals 	<p>Including Animal Welfare</p> <p>Current clauses are restricted to Council’s powers under Section 145 LGA 2002 (general bylaw-making power for territorial authorities) for the purposes of: (a) protecting the public from nuisance: (b) protecting, promoting, and maintaining public health and safety. Section 146(v) of the LGA enables the regulation of keeping of animals, bees and poultry.</p> <p>The onus for animal welfare is set out in the Animal Welfare Act 1999 where the responsibility rests with owners or persons in charge with animals. The Act is administered by the Ministry for Primary Industries. The SPCA has been delegated to carry out functions under this Act whereas Council has no powers under the Animal Welfare Act. Council officers refer any welfare matters they come across to the SPCA for investigation.</p> <p>Officers have explored making references to the Animal Welfare Act 1999 in the bylaw but have received legal advice that it is inadvisable to make direct references or include reference or explanatory notes in the bylaw.</p>

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			<p><i>No changes to the bylaw are recommended however Council is working toward ensuring animal owners are aware of their animal welfare obligations by improving educative material and working with the SPCA on key messages.</i></p>
Administration Manual	3, 24,25, 26, 30, 39, 51	<p>Administration Manual</p> <ul style="list-style-type: none"> – Permits should not make the Council money/profit – Support production of clear guidance for animal owners seeking permits – Be easy to read and well written – Administration manual will be an important resource and provide guidance that could significantly affect animal welfare and should also be subject to consultation – Is it possible to outline why certain things are banned or licensed? – Manual needs further work – Informational material it should emphasise the importance of cat ownership – Positive language should be used to promote responsible actions e.g. cat containment, brightly coloured collars and bells – Emphasis should be placed on the benefit of these actions to the owner, the health and safety of their cat, their family, and the native wildlife in their backyard 	<p>Administration Manual</p> <p>The Administration Manual forms part of the bylaw and was included as part of the Consultation Document. In light of the feedback some minor amendments are proposed on information required for permits for people wanting to keep more than 3 cats and for non-compliances to the urban beekeeping requirements (Part 7). Currently, there are no permit fees under this bylaw.</p> <p><i>Proposed changes to the Administration Manual are in Attachment 2.</i></p>
Definitions	24, 25	<p>Definitions</p> <ul style="list-style-type: none"> – Support new definition of ‘animal’ – Definition of nuisance is relatively subjective; to give an official discretion to determine if an animal may cause (as opposed to is causing) nuisance seems too pre-emptive 	<p>‘Animal’ Definition</p> <p>There was no opposition to the new definition of animal that aimed to restrict the application of the bylaw to certain animals and distinguished between owned and wild animals.</p> <p><i>No change to the ‘animals’ definition in Part 5 is therefore recommended.</i></p> <p>‘Nuisance’ Definition</p> <p>To assist in interpretation of what constitutes a ‘nuisance’ there are specifically defined cases in the Health Act that could apply to the type of nuisances that could arise from the keeping of animals. The guidance given in the Health Act assists the Council in the day-to-day operation of the bylaw i.e. that the nuisance is considered offensive or injurious to health. Officers consider the current definition of nuisance is appropriate given that it links to the Health Act definition.</p> <p><i>No change to the ‘nuisance’ definition in Part 5 is therefore recommended.</i></p>
General	25, 50, 51	<ul style="list-style-type: none"> – Clause 6.1 re keeping animals that cause nuisance needs more definition – Who determines a nuisance? 	<p>Pre-emptive approach to determining nuisance</p> <p>A submitter raised concerns with the determination of what constitutes nuisance and how council can, through the wording of clauses 6.1 and 6.2, take a pre-emptive approach to nuisance. In discussion with regulatory officers, it is rare that officers take a pre-emptive approach given that resources only allow reactive approach to the bylaw. However, it is</p>

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			considered that this approach allows Council the scope to act if an officer can foresee a nuisance issue arising. As a result officers consider the current wording of clauses 6.1 and 6.2 is maintained to provide a degree of flexibility in the enforcement of the bylaw. <i>No changes to clauses 6.1 and 6.2 are therefore recommended.</i>
Other matters	15, 43, 50, 53	<ul style="list-style-type: none"> – Serious issue with people being allowed multiple dogs registered. Concern about puppy mills – Some neighbours complain simply because they have the opportunity and power to do so; use Council bureaucracy and systems like a weapon – There should be no changes (to current bylaw) as it has not been properly consulted on [this comment submitted during pre-consultation phase] 	Submitters' concerns are noted.

Submissions on the draft Animals and Bees Bylaw – Stock (Part 3)

Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
Adequate and appropriate living environment for stock	10, 37, 51	<ul style="list-style-type: none"> – Concerned that when bylaw set up “urban area” was considered a standard quarter acre section (approx. 1000 m²) and now City has a lot more rural urban areas within its boundaries – Policy needs property size of 1 acre for deer, donkeys and horses (approx. 4000 m²); ½ acre for sheep, goats and alpacas (approx. 2000 m²) to allow sufficient space to graze animal/s and allow grass to regrow – Should be a minimum size for the urban area for keeping stock as there is for keeping bees – Should be a ratio of property areas to the volume of stock being kept – Without an area size there is a potential for any amount of animals to be kept on cramped urban sections – Agencies such as the SPCA and Federated Farmers could be consulted for minimum land sizes per animals – Want a property areas specified and a maximum number of animals per property area e.g. 1 animal to 800m² – Rule as it stands makes it quite difficult for the PNCC animal enforcement officers – Suggests that an extra condition be added specifying that stock should have adequate and appropriate living environment for their species, including companionship, space, shade and shelter 	<p>Minimum size set or stocking rate</p> <p>While there are some reported issues with stock in urban areas it is considered that self-regulation and a common sense approach is largely applied i.e. stock as defined in the bylaw are mainly kept on lifestyle blocks or in rural areas.</p> <p>Introducing a stocking ratio or disallowing stock in urban areas are considered major changes to the regulatory framework and would require re-consultation on the issue.</p> <p>If issues arise from keeping stock in urban areas then council can use the bylaw’s general provisions (Part 6) to abate or prevent any nuisance such as issuing notices to remove stock found to be causing a nuisance.</p> <p>A submitter has recommended the inclusion of an additional clause that would provide guidance on appropriate living conditions for stock. Officers consider that the suggested clause will assist in bylaw enforcement, as well as respond to the concerns outlined above.</p> <p><i>Amendment to Clause 7.1 is therefore recommended.</i></p>
Noise Nuisance		<ul style="list-style-type: none"> – Experience with neighbour keeping lambs in small area in backyard; constant baaing was a nuisance 	<p>If noise issues arise from keeping stock in urban areas then council can use general provisions (Part 6) to abate or prevent any nuisance, such as issuing notices to remove stock found to be causing a nuisance.</p> <p><i>No changes to Clause 7 are therefore recommended.</i></p>

Submissions on the draft Animals and Bees Bylaw – Cats (Part 4)

Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
<p>General support for mandate to both microchip and desex cats</p>	<p>1, 3, 4, 6, 8, 9, 11, 13, 14, 16, 17, 19, 20, 21, 23, 24, 26,29, 30, 31, 32, 34, 35, 38, 44,51, 52, 56</p>	<ul style="list-style-type: none"> – Supports Council to mandate microchipping and desexing cats – Needed nationwide and applaud PNCC for spearheading such an important issue – Having your cat desexed, microchipped, and registered on the NZCAR is a key part of responsible pet ownership. <p><u>Key reasons for supporting microchipping:</u></p> <ul style="list-style-type: none"> – Pet is identifiable; this gives an animal a greater degree of protection and a much higher chance of being returned to homes if lost – Unlike other methods of identification, microchipping is the only permanent and unalterable form of identification currently available for cats – Compulsory microchipping will help increase the number of companion cats that are microchipped – Benefits owner, Council Animal Control Departments and other Animal Welfare Organisations – NZCAC Register benefits outlined including financing organisations and managing the funds generated for a wide range of companion animal projects and charities throughout NZ <p><u>Key reasons for supporting desexing:</u></p> <ul style="list-style-type: none"> – Supports desexing of all domestic cats and believes it is a vital part of being a responsible owner – Over-population of cats is well-known and recognised issues in NZ and throughout the world; estimated there are around 196,000 stray unowned cats in NZ – Benefits of desexing on health and behaviour as well as positively influencing urban animal control and overpopulation problems outlines in submission – Recommend amending bylaw to include compulsory desexing at 8 weeks of age (or earlier) or when cat reaches 1 kg in weight – Too many kittens being sold or given away on Facebook because too lazy to get animals desexed <p><u>General comments</u></p> <ul style="list-style-type: none"> – Progressive and valuable requirements that will have positive impacts for animal welfare and the community – With the number of strays and abandoned cats, this will make people responsible for their pets – Supportive of Councils that take a progressive approach to cat management in order to reduce the impact on native species/ecosystems – Responsible owners who can afford to will comply, however a segment of the population will not and foresee an increase in abandonment and dumping – Active stance will do something to address the existing stray and feral cat populations and ensure that the only cats who are loved and cared for are part of our city – Accept this is a bold step given that it is only responsible cat owners who will comply; think that most cat owners are willing to bear that cost and responsibility to address a larger problem – Mandatory desexing and microchipping should extend to pet shops and private sellers – Will this effect long term prices and accessibility of cats in pet shops? 	<p>Mandatory microchipping and desexing</p> <p><i>Note: For the purposes of analysis of submissions on Cats - Part 4, issues have been grouped into submitter views that cover a range of perspectives on cat microchipping and cat desexing. As such various aspects of these clauses have been commented on by officers within the structure of how submitter opinions have been expressed.</i></p> <p>Most of the submitter feedback obtained through the consultation process relates to general nuisance effects and points to a need for stakeholders, including Council, to communicate general expectations about responsible cat ownership, such as identification methods and desexing.</p> <p>Inclusion of mandatory cat desexing and microchipping clauses have merit in terms of contributing to the management of nuisance issues but will, in practical terms, be difficult/impossible to enforce without council significantly increasing resourcing in its animal control activity.</p> <p><i>Amendments to Clause 8.7 are recommended and are outlined in more detail below – note the Council’s legal opinion also identifies some level of legal risk relating to the inclusion of a mandatory cat desexing requirement. As a result officers have considered further the options available to Council and these are outlined in Section 4.5 of the report.</i></p> <p>Age of cat desexing</p> <p>In terms of an appropriate age to carry out cat de-sexing, submitters expressed a range of views on this. Officers have considered all of these and have also considered the advice in the Companion Cats - Code of Welfare 2017 as well as recommendations from the NZ Vet Association. This states that responsible cat ownership includes having cats desexed at or before puberty (after 4 months of age). It is noted that the Code’s recommended best practice regarding desexing is that cats sold from a pet shop or rehomed from an animal welfare shelter should be desexed before sale/adoption. The SPCA, in its submission, also recommends the age a cat should be desexed is changed to ‘at or before 4 months of age’.</p> <p>As a result officers recommend changing the age of desexing to cats over 4 months of age.</p> <p><i>Amendment to Clause 8.7 (b) is therefore recommended.</i></p>

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Support for mandatory desexing only	2, 15,22, 48, 54	<ul style="list-style-type: none"> – Great idea to hold pet owners responsible, cannot afford to look after them and not fair to be giving kittens away and continue cycle – Vital to reducing the risk of increases in feral cat populations and the follow on effects for native wildlife – Mandating desexing cats over 6 months is the only solution to halt the perpetuation of unwanted and stray cats – Monitoring may be a challenge but go a long way to address an irresponsible attitude or idea that it is acceptable to have kittens so children can experience it – The requirement that cats over six (6) months are desexed (unless kept for breeding purposes and are registered with the NZ Cat Fancy Ltd) should have a recommendation that cats are desexed at or before 4 months of age (or 16 weeks or earlier) – The ‘traditional’ age of desexing is six months of age but this allows cats to reach reproductive maturity before they are desexed – Good start to change attitude but will hard to enforce unless national government level laws are changed to ban the selling to kittens on online sites, and pet shops which encourage buying of pets with no contracts in place to ensure desexing occurs by sexual maturity 	<p>Mandatory Cat De-sexing Submitters have raised that desexing is the best approach to manage issues resulting from an overpopulation of cats.</p> <p>Officers have carried out further research and note that the National Cat Management Strategy (NCMS) Discussion Paper raises some points about mandatory desexing experiences from overseas: “...usually there is no enforcement of mandatory desexing requirements as they are difficult and expensive.” [pg 80].</p> <p>The NCMS also raises that there is high levels of compliance and an estimated 93% of owned cats in New Zealand are reported to be desexed (New Zealand Companion Animal Council 2016) with the rate of desexing estimated to be much lower in specific socio-economic groups. As a result the NCMS promotes the idea of accessible desexing initiatives targeted to those on low-incomes as “an alternative or supplementary strategy to mandatory desexing is the provision and promotion of desexing initiatives for companion and stray cats that are priced to be accessible for all those who need access to these services.” [pg 83]</p> <p><i>Council’s legal opinion also identifies some level of legal risk relating to the inclusion of a mandatory cat desexing requirement. As a result officers have considered further the options available to Council and these are outlined in Section 4.5 of the report.</i></p>
Support for desexing but not mandatory desexing	5, 47, 55	<ul style="list-style-type: none"> – Fully support desexing not only in the interest of preventing cats from breeding but a desexed cat is less likely to engage in wandering, fighting and territorial marking behaviour and is less prone to diseases; experience demonstrates a desexed cat is a happier, healthier cat – Do not support compulsory desexing because enforcement would be impossible – A more effective approach to encourage residents to be responsible and desex their cats is via public education – Supports subsidies for desexing particularly for local groups who serve the stray cat population such as Trap, Neuter Return (TNR) – Support requirement to desex cats but consider this bylaw unenforceable in practice – Oppose early age desexing as people should have the right to choose – Desexing more important (than microchipping) 	<p>Voluntary cat desexing (non-regulatory approach) As described above submitters have identified that inclusion of a mandatory desexing requirement presents some enforcement challenges.</p> <p>No other Council currently includes mandatory de-sexing requirements in its bylaws. It is noted that Wellington City Council (WCC) did not consult on mandatory desexing in their draft Wellington Consolidated Bylaw 2008: Part 2 -Animals Bylaw, preferring to pursue non-regulatory options to encourage cat de-sexing. [see page 22 Environment Committee Agenda 4 August 2016]. WCC passed a recommendation to: <i>Work with the Wellington SPCA, vets, and other cat welfare agencies to use non-regulatory options to promote the de-sexing of cats. [Environment Committee minutes 4 August page 9].</i></p> <p>It is also noted that WCC has gone on to prepare an Animal</p>

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			<p>Policy where it ‘strongly recommends’ cat desexing {pg 6 Draft Animal Policy} and suggest that this is done once a cat reaches 1 kg in weight which is approximately 10 weeks in age.</p> <p><i>Officers have considered further the options available to Council and these are outlined in Section 4.5 in the report with further consideration of non-regulatory options also outlined in Section 3.7.</i></p>
Support for microchipping	10, 51, 54	<ul style="list-style-type: none"> – Council should encourage people to microchip cats as if it is hurt or killed then easier to find owner – Allows for clear delineation between ‘domestic’ cats and ‘feral’ cats; this allows council and community groups to intervene with cat control programmes if/where feral animals are having a significant impact on native wildlife – Long overdue addition to the bylaw – Procedure is cheap and easy – Would solve a lot of problems e.g. cat ownership disputes, cats going missing during times of natural disasters etc. – Not currently specified at what age cats must be microchipped from; suggest that a requirement be added that that cats are microchipped and registered with a recognised microchip registry by 4 months of age, such as the New Zealand Companion Animal Register. – Only responsible owners will abide by the law – Only part of a solution; needs to be a serious drive to work with individuals who are the main culprits of stray and homeless cats 	<p>Submitters’ views are noted and it is agreed that microchipping assists in owner identification and reuniting cats with their owners if they become lost, stray or are injured. A key advantage of microchipping is that it can potentially help distinguish owned cats from wild or feral cats.</p> <p>Microchipping owned/companion cats is recommended as best practice in the Animal Welfare (Companion Cats) Code of Welfare. It is noted that there has been lobbying for a national “cat control” regime that may in the future legislate mandatory microchipping.</p> <p>On its own, the microchipping procedure does not directly deal with nuisance issues but it helps animal welfare agencies and vets to determine the best course of action for an individual cat. The operational implications of mandatory microchipping requires liaison with stakeholders.</p> <p>Age of cats to be microchipped A submitter has noted that there is no specified age cats should be microchipped from. Given the proposed changes to the cat desexing clause to apply to cats over four months, it is considered that the suggestion for microchipping to cats of the same age is recommended.</p> <p><i>Amendment to clause 8.7(a) is recommended.</i></p>
Don’t support microchipping	22, 33, 43, 46, 47, 55	<ul style="list-style-type: none"> – Dogs, not cats, are the ones who are wander and liable to cause harm to humans or other dogs, livestock etc. – Cats are harmless and microchipping is unnecessary – Seems an unnecessary expense, make it optional – Most people have their cats microchipped; no need for regulation – Only the responsible owners will do this and their cats aren’t the ones causing the problems just like dogs – Seems like a pointless money making exercise with no benefit for those who will abide by it – Consultation document unclear about reasons for compulsory microchipping – Go down the path of compulsory microchipping, use the ID to determine who lives and 	<p>Submitters’ concerns are noted.</p>

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		<ul style="list-style-type: none"> – who dies could lead to social unrest – Some microchips are failing to scan – No way should microchips be used to determine who lives and who dies in the name of ‘conservation’ – Unnecessary expense especially for older people who probably won’t microchip their older cats who ‘never wanders’ – Provides an excuse to those who hate cats to kill a neighbour’s cat if not microchipped – Encourages dumping or desertion of cats – Discourages people from adopting an extra cat that may have turned up – Must be guidelines/stipulations what is to be done with any cats without a microchip; as drafted now this is an excuse for cruelty – Microchipping is likely to discourage cat collars with nametags and bells to deter birds – Only vets and SPCA have microchip readers; a cat with a named collar can often be returned home by a neighbour. – PNCC currently provides traps for people to catch cats but there is no requirement to check for a chip; would be more sensible to require a named collar – Likely a lot more cats will be uplifted to the SPCA to be checked for chips, instead of waiting to see if the owner returns. – PN has a large student population who often bring a cat and are unlikely to know about such a rule 	
Clarity as to type of cats bylaw applies to (scope of bylaw)	1, 15	<ul style="list-style-type: none"> – Provide clarity on which cats the bylaw will apply to (e.g. owned cats, stray cats, colony cats etc.) – Feed and provide shelter to strays that will never be pets, but have been caught and desexed; will I have to micro-chip? 	<p>Bylaw Scope</p> <p>This is a key consideration as it impacts on some of the decisions regarding the cat management clauses being considered. The bylaw defines animals in such a way that it does not include animals living in a wild state. The purpose of bylaw further refers to ‘keep’ or ‘keeping’ animals that is further defined <i>as meaning owning, looking after, being in charge of, a custodian, or in possession of any animal. (Section 5 – Interpretation).</i></p> <p>While owned (vs. wild or feral) cats are the focus of the bylaw the application of this definition means that the bylaw could be applied to some ‘stray’ cats being looked after by individuals or by groups. The NCMS acknowledges that the cat population is made of number of different categories and because of this some of the mandatory requirements being considered in clause 8.7 may have different levels of efficacy.</p> <p><i>No changes to the definitions of ‘animal’ or ‘keep or keeping’ are recommended.</i></p>
Impact of cats on the natural environment and threat to ‘native biodiversity’	30, 38, 47, 56	<ul style="list-style-type: none"> – Feral cats, particularly feral cat colonies, pose risks to human and wildlife health through transfer of disease e.g. toxoplasmosis – Policies should reflect the risk that feral cats an cat colonies pose to humans and native wildlife – Council must ensure bylaw is consistent with its aims to protect and promote native 	<p>The submitters’ points in part relate to the scope and purpose of the bylaw discussed above. It is acknowledged that there are issues with some cats preying on native wildlife.</p> <p><i>Officers recommend more liaison and discussion with</i></p>

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		<p>wildlife, not only for its intrinsic value to the community and PN as a whole but as a matter of efficient resource allocation</p> <ul style="list-style-type: none"> – Cats are efficient killers of our birds, lizards and insects and no amount of bells will stop that killing – Council may like to consider including a policy in opposition to feral cat populations, or promoting the eradication of feral populations, in order to assist in the achievement of its aims for native wildlife – Cats play a valuable role as rodents catchers and keep the population of rodents, mustelids and rabbits in check – On-going propaganda campaign against cats and their guardians in the mainstream media on behalf of misguided environmental extremists and corporate entities who stand to make a considerable amount of profit from the exercise of ‘cat control’ 	<p><i>stakeholders and the Regional Council on feral cat management.</i></p>
Affordability of mandatory procedures	2, 5, 8, 13, 17, 23, 35	<ul style="list-style-type: none"> – Suggest a ‘desexing drive’ for those that would find it financially difficult – Low incomes earners won’t be able to afford cost of de-sexing and micro-chipping – Suggest low cost microchipping scheme like WCC did when their new bylaw came into place (\$8 in-home) – Perhaps Council could look at subsidising cost of (desexing and microchipping) for lower income households – Massey University is offering cheap desexing of cats, through a new training programme for students, which would help with cost issues – Lucky to be able to afford but maybe have a cost cutting program to help – Great to offer cheaper microchipping and desexing but it’s still not getting across; door knocking and postal advice might help spread the word 	<p>Submitters’ concerns are noted.</p>
Limits on the number of cats	3, 7, 10, 21, 22, 23, 24, 26, 35, 39, 43, 44, 47, 48, 54, 55, 56	<ul style="list-style-type: none"> – Support limits on cat ownership as per dog ownership – Four cats would be a better limit – Don’t support restrictions to own more than 3 cats – Something should be in place to allow Council to check up on properties with more than 3 cats to ensure wellbeing of pets – Number of cats should be restricted by Council as too many cats in any one area and peoples who do not have cats are the ones who suffer in having gardens and environment spoilt by cats urinating and pooing – No-one in a city environment needs 3 cats; multiple houses on a large section (e.g. 2000m² could result in 12 cats) – Limit to 1 cat per property – Limiting all properties to 2 cats would be preferable – Limit to how many a property should have i.e. 3 unless you’re a certified breeder – Support need for permit to keep more than 3 cats on a property in the urban area – The proposed rule that no one can own more than 3 cats seems arbitrary (e.g. what if they are all kept indoors?) – The guidelines for granting a permit are not stated – Council shouldn’t place restrictions on number of cats you can have – In view of sections becoming smaller, think two cats should be the maximum number 	<p>A wide variety of submitter views were received on clause 8.1. The imposition of a limit has been Council’s main way of managing nuisance arising from cat ownership. At this stage, given the lack of detailed information on cat ownership in the District officers recommend that the ‘3 cat limit’ is retained. People keeping more than 3 cats should be encouraged to apply for a permit if they have not currently done so.</p> <p>Submitters have raised issues with the application of the limit to a household or property and it is recommended to include in clause 8.1 the words ‘per dwelling’ to clarify expectations. Any other modifications to this clause, such as recognition of different sizes and types of dwellings, would require the draft bylaw to be re-consulted on.</p> <p><i>Officers have therefore recommended that clause 8.1 is amended.</i></p>

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		<p>per household</p> <ul style="list-style-type: none"> – In two decades no residents have been prosecuted for non-compliance with the ‘three cats per residence’ rule¹ ; when Council has needed to enforce the bylaw , compliance has been effected by Council offices simply negotiating with residents – Proposal does not make meaning clear about more than one person sharing a property The wording needs to be clarified so the meaning is understood. – Assume that where there are currently more than three cats, all current cats will be exempt from this bylaw but will be required to be registered until they die – Do not think this cap is really necessary once desexing becomes mandatory because breeding will not be permitted. – Doesn’t acknowledge people who take in cats due to circumstances – Unrealistic to enforce three cats only for all households – Some of us have too many cats and know it but can’t just knock them on the head <p><u>Oppose</u></p> <ul style="list-style-type: none"> – Over 2016/17 PNCC received a total of 16 complaints of multiple cats nuisance....a minuscule amount of complaints...clearly not many residents are as troubled by cats as has been suggested thus must query if the three cats per residence is worth having at all – Council is amongst a minority with its three cats per residence rule; only 6 other district councils and two city councils have a similar regulation – Limit could prevent people who take strays off the streets to look after along with their own – Putting strict limits (as in 3) will exacerbate the homeless cat problem – All responsible, well-run cat rescue groups need to be exempt but needs to be checks and balances in place to ensure the welfare of these animals is paramount and hoarding is prevented – Too restrictive: Wellington has no such limit and has fewer cat problems, PN had fewer problems before this was introduced – Prior to this bylaw, people would often adopt an extra cat that turned up that reduced the stray population – The current bylaw acts to increase the number of free living cats as people don’t adopt those deemed ‘over their allotted number’ – The existing health and safety rules contain enough power to address ‘hoarders’; for most people the expense of keeping lots of cats would be deterrent enough 	
Property size determining number of cats allowed	11, 47	<ul style="list-style-type: none"> – The differential in property size for the number of cats should be dispensed with – If the 2000m² exemption is removed, what happens with the additional cats they presently keep? 	Submitters’ concerns are noted. The intention for the removal of this was to bring all properties, irrespective of size in the urban area, under these provisions. There is no intention by Council to force people to surrender cats due the removal of the 2000m ² property size.
Application of mandatory cat desexing rules to cat breeders	4, 48	<ul style="list-style-type: none"> – Be better to have Council put rules in place for people wishing to breed rather than put it in hands of Cat Fancy Club that promotes breeding and earns an application fee out of it – As breeders will be exempt from this (part of) the bylaw but contribute to the over-population of cats, hope that the Council will impose steep fees, but not unreasonable regulations that unnaturally confine cats 	The intention of clause 8.7 is to ensure that registered cat breeders were not unduly restricted by the mandatory desexing requirements proposed. There is also no expectation that council would require cat breeders to apply for a permit or to register with the Council to signify compliance with this clause.

¹ The submission referenced the PN Cat Control Bylaw 1997 that was revoked and replaced with the Dog Control and Other Animals Bylaw 2004 and then the current Animals and Bees Bylaw 2011

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Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
Restrictions on cat breeders	20, 26, 38	<ul style="list-style-type: none"> – Great having a breeders register – Support clause 8.7 b but suggest that there may be other national organisations that keep a registry of cat breeders. – By specifying NZ Cat Fancy Ltd. a monopoly control is being created and clause is unnecessarily restrictive. Other controlling bodies should be included and clause amended to: <ul style="list-style-type: none"> ○ Cats over six (6) months are desexed (unless kept for breeding purposes and are registered with a national cat breeders’ body). Cats registered with NZCF would not need to be neutered 	<p><i>Officers have recommended changes to clause 8.7 (b) in relation to inclusion of all registered national cat breeders as raised through submissions.</i></p>
Bylaw Compliance and enforcement	8, 11, 16, 18, 38, 46, 47	<ul style="list-style-type: none"> – Good to know any penalties if (bylaw) not adhered to – Delay in bylaw coming into effect seems sensible (for mandatory desexing and microchipping) – People will still ignore but this should catch the majority of owners who would actually obey the rules – Do not see how proposed changes can be enforced; female cats are very difficult to check if being spayed or not or have a microchip – Some cat owners will knowingly attempt to contravene these bylaws or deny any knowledge of the bylaws – Will an officer representing PNCC be employed to make proactive investigations as to whether cat owners are adhering to the bylaw or will the public be left to make a complaint to the Council regarding non-compliance? – Cat’s ownership can be easily denied. – Council already have the power to intervene when there is an issues with public health or nuisance under the Health Act 1956 	<p>Submitters’ concerns are noted. Enforcement challenges of clause 8.7 have been raised and need further consideration should the Council adopt this clause.</p>
Education	18	<ul style="list-style-type: none"> – Council would be (better) spend their money on working towards education regarding good pet ownership and dealing with the number of aggressive dogs in PN 	<p>Submitters’ concerns are noted.</p>
More cat controls needed e.g. bells, collars, curfews, containment (indoor cats)	29, 34, 38, 49, 56	<ul style="list-style-type: none"> – Changes don’t go far enough – Cat owners need to take more responsibility for preventing their cat from killing native birds and causing a nuisance such as wandering on to other people’s property – Understand cats difficult to contain but they should have a compulsory bell on a collar and should have curfew – Cats should be registered so owners have personal responsibility; should be treated the same as dogs in this respect – They may not be dangerous but they are a nuisance e.g. fouling, ripping rubbish bags etc. – If captured, cats should be impounded and owners charged a release fee just like a dog owner would be – Would like to see an additional clause which requires cats to confined either in a dwelling to secure cage overnight by the owners on the owners’ own property – Suggested hours for locking up cats could be from 9pm at night to 6am the next day; contrary to their natural desire but they do get in to a lot of trouble at night – Good progress has been made on reducing stray dogs and its time we started to limit wandering cat population; cats enter property freely and stalk and kill native bird, use freshly dug ground for toileting and disturb seedlings – Encourage the Council having taken this very positive step to follow up with a policy to encourage more people to consider indoor cats; common in Europe and North America 	<p>The introduction of additional cat control measures raised by submitters such as containment/confinement and imposition of a curfew into the draft bylaw would mean that the bylaw would need to be re-consulted on. In the future, national legislation may make some of these measures mandatory or cause the Council to re-think its approach to cat management through future bylaw review processes.</p> <p><i>Officers recommend that additional cat control measures as suggested by submitters are not included in Part 4 – Cats.</i></p>

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Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
		<ul style="list-style-type: none"> – Keeping cats indoors may help to actively reduce our cat population and to ensure every cat is a cared for cat with the minimum of opportunities to predate birds etc. which the council’s work in establishing green corridors has done so much to increase bird life particularly around the city 	
Oppose pet shops from selling kittens; only sell rescue animals	32, 52,54	<ul style="list-style-type: none"> – Oppose pet shops selling kittens (except Animates as kittens/cats from SPCA and desexed and microchipped) – Suggest local retailers of cats only be permitted to sell rescues similar to that of the recent law change made in California – Pet shops should only be allowed to sell animals that need rehoming 	Submitters’ concerns are noted. <i>These issues are considered outside the scope of the bylaw.</i>
Cat traps and euthanasia service	48, 54, 55	<ul style="list-style-type: none"> – Concerns about current council practice and for the future abuse of stray or non-microchipped cats – This practice is likely to be aiding and abetting cruelty towards animals and the breaking of the law if people are killing cats themselves or dumping the; no guarantee that the cat is not somebody’s pet and could lead to dumping in rural areas (also an act of cruelty) and does no favours to wildlife – Horowhenua DC lends out traps and has an euthanasia service and will pass on any tame cats to the SPCA – Important to have to proper authorities (PNCC or SPCA) deal with the termination of life <ul style="list-style-type: none"> – prior to any euthanasia, check for microchip, wait to see if any enquiries to SPCA, or if rehoming can take place – It is crucial that cats never acquire ‘pest’ status as once they are deemed pests that are often treated worse than refuse – Council/SPCA must provide premises where stray cats can be brought to, properly processed and humanely euthanized if necessary – Would like to see a guarantee in place from the Council that un-microchipped cats are not vulnerable to carte blanche, widespread euthanasia of these animals – Should be a process to go through where council works with animal rescue groups in cases of rehoming or looked after by TNR – no euthanasia of healthy cats – No commercial operators should be able to set up a business trapping and killing our neighbourhood cats irrespective of whose property they may have strayed on to; vet euthanize only 	The submitters raise operational concerns that have been discussed with regulatory officers. A wider conversation is required on some of these matters should the Council adopt clause 8.7.
Motivation for cat control measures	43, 47, 48, 56	<ul style="list-style-type: none"> – Concern that the bylaw reflects a ‘cat hating’ attitude and motivation of introduction of ‘cat control’ measures. – There are also a growing number of cat haters, fed by Morgan hysteria based largely on fallacies; this also applies to local conservation and other organisations – Cats are beautiful creatures who command the upmost respect; it is not their fault irresponsible humans have failed them by lack of desexing, dumping or abandonment – Once microchipping becomes mandatory would hate to see a free-for-all trapping and killing mentality towards all cats, a big killing spree of any cats on other people’s properties – Concerns that too many cats are not as much pets...as they are appendages that are disregarded after they move from the pretty kitten stage to the independent adult cat 	Submitters’ concerns are noted.
Stray cat management / call for cross sector approach	30, 48, 52, 54, 55	<ul style="list-style-type: none"> – Organisations such as Manawatū Alley Cats Trust have been desexing stray cats for a while preventing multitudes of kittens being born hope the Council will work in with these people – Would like to see reputable TNR groups be supported by Councils working at grass roots 	The submitters raise points in relation to the wider operational considerations Council must make in relation to the complexities of cat management.

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Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
		<ul style="list-style-type: none"> level to alleviate the breeding of homeless cats and to educate the public to become more responsible and caring citizens towards animals and pet ownership – TNR of stray cats is endorsed in MPI’s Cat Management Strategy plans² – TNR programmes are the recommended method of dealing with stray cat colonies both by the MPI and international research – Council should endeavour to achieve cross-sector consensus on its approach to cat ownership and management – Through collective agreement Council can ensure the public are receiving a consistent message from all organisations when it comes to responsible cat ownership – As the council and the SPCA have become more hands off then problem of stray cats grows – Less and less support for people who need to relinquish their cat which encourages dumping or leaving behind cats – This bylaw takes no account of those cats that are no longer owners and assumes all have a person who may be held accountable; this is why the problem still exists in PN when it has been successfully addressed elsewhere – Should be an amnesty path via Council to surrender cats to SPCA and local rescue organisations for processing and rehoming 	<p><i>Officers recommend that council considers the formation of a ‘Cat Management Advisory Group’ as recommended by the NCMS.</i></p>

Submissions on the draft Animals and Bees Bylaw – Pigs (Part 5)

Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
Size of area for keeping pigs	10, 23	<ul style="list-style-type: none"> – Concerned that when bylaw set up “urban area” was considered a standard quarter acre section (approx. 1000 m²) and now City has a lot more rural urban areas within its boundaries – Policy needs property size of 1 acre for pigs (approx. 4000 m²) to allow for housing and defecating areas – Pigs should be on farms only 	<p>Setting minimum section size to keep pigs Introducing a ratio or density, or setting a minimum section size would be considered a major change in the regulatory framework and would require re-consultation on the issue. It is considered that self-regulation and a common sense approach is applied should people be considering keeping pigs in the urban environment.</p> <p>If issues arise from keeping pigs in urban areas then council can use general provisions (Part 6) to abate or prevent any nuisance such as issuing notices to remove pigs from urban areas.</p> <p><i>No change to Clause 9.1 is therefore recommended.</i></p>
Keeping pigs in urban areas (compared to stock)	25, 27, 31	<ul style="list-style-type: none"> – Odd that Council would consider it appropriate could have a bull but not a small breed of pig – Explain why pigs are deemed less suitable for urban habitation than cattle, donkeys, deer, horse, or other stock? – Some people keep a small pigs as a pet much as other people keep a dog – Is there any way that a person could apply for permission to keep a single, small pig as a pet? – Frustrated for those that live on lifestyle blocks on edges of town with 1 or 2 acres (4000 – 8000m²) that not allowed a pig because falls under residential area – Must be able to exercise some leniency in this area on a case by case application 	<p>Pigs in Urban areas Disallowing pigs in urban areas altogether would be considered a major change in the regulatory framework and would require re-consultation on the issue. It is considered that self-regulation and a common sense approach is applied should people be considering keeping pigs. Council may consider permits to keep pigs in an urban area but granting of any permit would be at the discretion of the authorised officer.</p> <p>Keeping pigs can give rise to a number of nuisances including odours, noise and damage to grassed areas. There is</p>

² NZ Cat Management Strategy – discussion paper – finalized in September 2017 [http://www.nzcac.org.nz/privacy-statement/7-press/83-national-cat-management-strategy-discussion-paper]

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Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
			documentation of issues arising from keeping of 'tea cup' pigs (or small pig breeds) that do not stay small and outgrow urban living situations. <i>No change to Clause 9.1 is therefore recommended.</i>

Submissions on the draft Animals and Bees Bylaw – Poultry (Part 6)

Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
Urban area (suitability/size)	10	<ul style="list-style-type: none"> – Concerned that when bylaw set up “urban area” was considered a standard quarter acre section (approx. 1000 m²) and now City has a lot more rural urban areas within its boundaries – Believes policy needs ½ acre for poultry (approx. 2000 m²) to allow for shelter and open area access 	<p>Setting minimum section size to keep Poultry Introducing a minimum section size would be considered a major change in the regulatory framework and would require re-consultation on the issue. It is considered that self-regulation and a common sense approach is applied should people be keeping poultry in an urban environment.</p> <p>If issues arise from keeping poultry in urban areas then council can use general provisions (Part 6) to abate or prevent any nuisance such as issuing notices to remove pigs from urban areas. .</p> <p><i>No changes to Clause 11.1 are therefore recommended.</i></p>
Keeping roosters	16, 18, 21,23, 24, 31,34, 36, 39, 40,45	<ul style="list-style-type: none"> – Suggest mandatory use of ‘no crow collars’ or de-crowing rather than permitting – Permit system, unless affordable, will still mean current issues of not knowing where the sound is coming from will continue – Support only if for rural towns and not for the City or suburbs – Roosters have no place in city as they are farm animals; keep roosters on lifestyle blocks or farms – Support restricting roosters in Ashhurst, Bunnythorpe, Linton and Longburn; permit required for inner City roosters – Allow chickens but not roosters – Rooster crowing is part of their natural behaviour and the Animal Welfare Act requires that animals need to display normal patterns of behaviour <p><u>Keeping roosters in Ashhurst</u></p> <ul style="list-style-type: none"> – Roosters should not be allowed in Ashhurst, it is no longer rural but quite built up – Roosters don’t only crow at dawn but throughout the night and can interrupt sleep, especially young children – No way to roosters in Ashhurst; hens are fine 	<p>Keeping roosters While there were a number of submissions on the new clause 11.4 these did not represent strong opposition in the context of the overall submissions received. The new clause is a reflection that section sizes in the rural villages are likely to be able to allow the keeping of roosters in a way less likely to cause a nuisance to neighbours. However, it is acknowledged that noise nuisance from roosters is a valid concern and Council can exercise its powers under the bylaw’s general provisions (Part 6) to abate or prevent any nuisance issues.</p> <p>The following action is recommended:</p> <ul style="list-style-type: none"> • Provide informational material, including on Council’s website, about rooster keeping particularly ways to reduce noise nuisance. <p><i>No changes to Part 11 are recommended.</i></p>
Noise and nuisance effects	28, 50	<ul style="list-style-type: none"> – Don’t think loud poultry (peacocks etc.) should be allowed in Palmerston North; allowing in small towns is a good idea – No provision in the bylaw for noisy birds (wild) and what should be done about them – Crowing at 2am in built up areas seen as nuisance however action taken to prevent that noise and only occurs during reasonable daylight hours then noise should not be 	Submitters’ concerns are noted.

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Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
		regarded as a nuisance	
Requirements for keeping poultry	37, 50, 51	<ul style="list-style-type: none"> – Oppose clause 12.2 particularly “unless the properties are separated by a solid fence” – Seek enclosures for poultry are at least 1.5m from any boundary fence (solid or otherwise) – Clauses 12.2 and 12.4 need clarification as the interpretation of not letting chickens wander within 2 metres of the house to be placing unnecessary requirements on poultry owners – In addition to the requirements already included in this section, the following should be added: <ul style="list-style-type: none"> ○ Poultry must be provided with access to an adequately sized run or free-ranging area ○ Poultry must be provided with appropriate areas/space for nesting, including nesting materials, as appropriate for the species ○ Appropriate drip type watering containers are used rather than open containers since these are more hygienic 	<p>Housing Poultry – Clause 12.2</p> <p>Officers have examined a number of other bylaws and a 2 metre setback of a poultry run or house is a common distance (Napier, Western Bay, Horowhenua, Far North District Councils) although there is wide variance on this matter. However, a greater setback distance of 10 metres from a dwelling or other main building is a common setback. The submitter, however, is suggesting a less distance but removal of the words ‘unless the properties are separated by a solid fence’. This is in order to maintain a good separation distance irrespective of the type of boundary fence. The other matter is one of interpretation and this has been discussed with the environmental health officers who administer the bylaw and assure that this is not the case.</p> <p>The 2 metre setback seems a reasonable distance and the ability to locate a house or run up alongside a solid fence would seem a practical solution.</p> <p>Council can exercise its powers under the bylaw’s general provisions (Part 6) to abate or prevent any nuisance issues arising from poorly sited poultry house or runs that may be causing a nuisance.</p> <p><i>No change to Clause 12.2 is therefore recommended.</i></p> <p>Additional housing requirements</p> <p>Additional recommendations have been made by a submitter regarding housing requirements. These are considered to be more related to animal welfare concerns however are good suggestions to be reinforced by the Council in educative material. This would include reference to the Animal Welfare (Layer Hens) Code of Welfare 2012 issued under the Animal Welfare Act 1999.</p> <p><i>No change to Clause 12 is recommended.</i></p>

Submissions on the draft Animals and Bees Bylaw – Bees

Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
Support for beekeeping and importance of bees	7, 23, 14, 39	<ul style="list-style-type: none"> – Don’t think there is anything wrong with some hives on properties – Bees are important to our flowers and vegetables; restriction on number of hives will see prices for both flowers and vegetables soar. 	The submitters’ comments are noted.
Oppose beekeeping in urban environment	10, 16	<ul style="list-style-type: none"> – Oppose – allowing more beehives in Palmerston North City and suburbs; should be kept to rural towns only – Standard section size not suitable for hives as don’t know what neighbour’s reaction is to stings 	<p>Urban bee-keeping</p> <p>The Council is supportive of urban beekeeping provided that beekeepers are aware of their legal responsibilities under national and local frameworks. A departure from this position would be considered a significant change and would require</p>

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Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
		<ul style="list-style-type: none"> – Understand bees are important to ecosystem but there is place for that and not in suburbs or city (but rural locations OK) 	<p>this aspect of the bylaw to be re-consulted on.</p> <p><i>No change to Clause 13 is recommended.</i></p>
Permits and restrictions for bee-keeping	12, 34, 42	<ul style="list-style-type: none"> – A permit application should be part of the bylaw with considerations around nuisance in public – Propose all beekeepers, including migratory beekeepers, declare their apiaries and hive count along with registered apiary registration number so that more control can be achieved in urban and rural sites around townships – Apiaries could be listed by local council for any enquiries; this encourages responsible beekeeping and is in line with best practice – Restrict moving commercial hives near townships – Many are placing hives on Ashhurst boundary which is resulting in more bees in the township competing for floral food sources and increased risk of disease spread, honey robbing and swarming and bee stings – Approaches by beekeepers to allow hives to be put on rural properties leading to oversaturating areas with bees because of potential financial gains – ‘Cash return’ may come ahead of maintaining neighbourly relations and respecting neighbours rights to the quiet enjoyment of their property – In residential zoned area number of hives allowed should be reduced to a maximum of two with agreement required from all neighbours as bees do not stay within beekeeper’s property – Nuisance effects and potential health and safety factors must be considered – In rural zone no limit on number of beehives however all apiaries should be sited in a location that does not interfere with normal activities – 1m is too lax, should be a greater distance to prevent flying into neighbour’s gardens 	<p>Introduction of permits for bee-keeping</p> <p>Officers have researched other council bylaws in relation to issuing permits for beekeeping and specifying the location of hives. Some Councils set hive location set through the permitting process (e.g. MDC, HDC, ICC). Our Council promotes a more permissive approach to beekeeping provided beekeepers comply with conditions in relation to hive placement from boundaries, and restricting numbers of hives based on property size. Council has not set any rural beekeeping requirements.</p> <p>It is noted that the Apiculture NZ Code of Conduct includes a statement...” <i>to site hives away from places frequented by the public where they are likely to cause nuisance to people, livestock, residences, businesses or those in the vicinity and to ensure that the general public are not impacts or impeded from undertaking general activities.</i>”</p> <p>The collection of information on beekeeping as suggested by a submitter has some merit as Council does not have a good indication of the number of urban hives. However, the collection of this information would be on a voluntary basis unless the position on permitting is changed by Council. A departure from this position would be considered a significant change and would require this aspect of the bylaw to be re-consulted on.</p> <p>A new clause (13.1 (d)) was added during drafting to this section to draw attention to the nationally required registration of hives.</p> <p>Additional information on bee-keeping can be made available to beekeepers and ensuring all the obligations are met.</p> <p>As previously noted, Council can use general provisions to respond to any nuisance complaints related to keeping bees.</p> <p><i>No change to Clause 13 is recommended.</i></p>
Nuisance and health and safety effects	16, 42	<ul style="list-style-type: none"> – Adverse effect of being in bee flight path in a residential area e.g. bee poo (wax)on clothing on washing line and difficult to remove from windows – If bees are significantly impacting neighbours due to flight paths then they should be relocated off property – Health and safety of people also has to be taken into account e.g. people and pets that 	<p>The submitters’ comments are noted.</p>

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Issue	Submission numbers	Submitter opinions/comments	Officer comments and recommended changes to draft bylaw
		are allergic to bees – While bees are encouraged for a range of reasons, the hives must be managed so people are not negatively affected	