# ANIMALS BYLAW 2020 FIVE YEAR REVIEW – APPROVAL OF UPDATED BYLAW FOR PUBLIC CONSULTATION

## MATTER / TE WHĀINGA

1. The matter for consideration by Council is the review of the Animals Bylaw 2020 and the approval of an updated Animals Bylaw 2020 for public consultation.

**RECOMMENDATION FOR CONSIDERATION / NGĀ WHAIKUPU**
**That having considered all matters raised in the report, Council:**

**a) Determines that the proposed amendments to the Animals Bylaw 2020 are the most appropriate way of addressing the matters identified, having regard to the requirements of the Local Government Act 2002.**

**b) Determines that the proposed amendments to the Animals Bylaw 2020 do not give rise to any implications under the New Zealand Bill of Rights Act 1990.**

**c) Notes that the proposed amendments to the Animals Bylaw 2020 are limited to the bylaw's beekeeping provisions and include:**

**i) updating references from "hive" to "beehive";**

**ii) amending clause 11.3(b) to clarify that the listed mitigation measures are examples of actions that may be required to address or abate a nuisance; and**

**iii) updating the reference to the "Apiculture NZ Code of Conduct" to the "New Zealand Honeybee Care Code™".**

**d) Notes that the proposed amendments have been informed by engagement with key stakeholders, including the Taranaki Beekeepers Club and New Zealand Beekeeping Incorporated.**

**e) Notes that the proposed amendments are not considered to be of significant interest to the public and are not likely to have a significant impact on the public and, therefore, public consultation will be undertaken in accordance with section 156(1)(b) of the Local Government Act 2002 in a manner that gives effect to the consultation principles in section 82 of that Act.**

**f) Approves the updated Animals Bylaw 2020, incorporating the proposed amendments, for public consultation.**

| COMPLIANCE / TŪTOHU | |
|---|---|
| Significance | This matter is assessed as being of moderate importance. |
| Options | This report identifies and assesses the following reasonably practicable options for addressing the matter:<br><br>1. Approve the Animals Bylaw 2020, incorporating the proposed amendments, for public consultation.<br><br>2. Make amendments to the Animals Bylaw 2020 and approve for public consultation. |
| Affected persons | The persons who are affected by or interested in this matter are:<br>• The New Plymouth District community.<br><br>• Owners or breeders of animals covered in the bylaw.<br><br>• Beekeepers and the local beekeeping club. |
| Recommendation | This report recommends Option one Approve the Animals Bylaw 2020, incorporating the proposed amendments, for public consultation for addressing the matter. |
| Long-Term Plan / Annual Plan Implications | No. |
| Significant Policy and Plan Inconsistencies | No. |

## EXECUTIVE SUMMARY / WHAKARĀPOPOTOTANGA MATUA

2. This report recommends that Council approves the Animals Bylaw 2020, incorporating the proposed amendments, for public consultation. Public consultation would be carried out in a manner consistent with, and giving effect to, the requirements of section 82 of the Local Government Act 2002.

3. The review of the Animals Bylaw 2020 was informed by engagement with key stakeholders, including the Taranaki Beekeepers Club, New Zealand Beekeeping Incorporated, the SPCA, and Companion Animals New Zealand. Feedback received through this engagement has informed the proposed amendments, which are limited to the bylaw's beekeeping provisions.

4. There are considered to be no risks in approving the updated Animals Bylaw 2020 for public consultation.

5. Next steps will be to carry out public consultation from 3 to 28 October 2026. Any feedback received during consultation will be reported back to Council along with a final Animals Bylaw 2020 for adoption. Taking this approach will ensure that the public has the opportunity to provide their views and preferences on the updated Animals Bylaw 2020.

## BACKGROUND / WHAKAPAPA

*Bylaw review history and requirements*

6. The New Plymouth District Council Animals Bylaw 2020 (the current bylaw) was adopted on 2 June 2020 with a commencement date of 22 June 2020.

7. On 13 May 2025, the Council determined that a bylaw continues to be the most appropriate way of addressing the perceived issues relating to animals, and approved the initiation of the review of the current bylaw. The initiation of the review on 13 May 2025 met the requirements of section 158 LGA 2002 requiring the bylaw to be reviewed by 2 June 2025.

8. The bylaw determinations report of 13 May 2025 included a regulatory impact assessment which showed that there was an ongoing problem with animal noise, animal roaming and general nuisance caused by animals. This was highlighted by the 93 service requests received by the Council in 2024. This indicates that the current bylaw still has an important regulatory role to play in our community.

9. If the review of the current bylaw is not completed before 2 June 2027 it will be revoked under section 160A of the LGA 2002.

*Bylaw review approach*

10. The review of the Bylaw was informed by feedback from Council officers involved in the implementation of the Bylaw and engagement with key external stakeholders involved in the keeping of animals who were invited to provide feedback on how the current bylaw was working and any suggested improvements.

11. Officers considered that the current bylaw was generally fit for purpose and that the provisions and requirements set out in the current bylaw enabled officers to regulate nuisances associated with the keeping of animals in an efficient and effective manner. From an officer perspective, there were no significant nuisances or problems that could not be addressed under the current bylaw and therefore did not require a change to the current bylaw.

12. Feedback was received from several external stakeholders involved in the keeping of animals based on contacts established during the last bylaw review. Feedback was received in relation to the management of cats, animal welfare, and beekeeping. The feedback is summarised in the table in Appendix 2 (ECM 9896525 with an officer response on how the feedback was considered in the bylaw review.

*Overview of proposed amendments to the bylaw*

13. Three amendments are proposed for inclusion in the Animals Bylaw 2020:

    a) Update the term 'hive' to 'beehive'. This is to ensure consistency of terminology with the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998. This change will include updated references in clause 11 of the Bylaw.

    b) Update to the wording of clause 11.3b) to clarify that the mitigation steps included in 11.3b) i) to v) are examples of the types of measures that may be required to mitigate or abate a nuisance or danger, rather than a prescriptive list.

    c) Update the reference to the relevant code of conduct for bees in clause 11.3 b) i) from 'Apiculture NZ Code of Conduct' to 'New Zealand Honeybee Care Code™'.

14. This report proposes an updated Animals Bylaw 2020 be approved for consultation. The updated Animals Bylaw 2020 is included in Appendix 1 showing the amendments as strikethrough and underlined text.

*New Zealand Bill of Rights Act 1990*

15. Section 155(2)(b) of the LGA requires the Council to determine whether the updated Animals Bylaw 2020 gives rise to implications under the New Zealand Bill of Rights Act 1990.

16. No implications under the New Zealand Bill of Rights Act 1990 have been identified for the updated Animals Bylaw 2020.

## CLIMATE CHANGE IMPACT AND CONSIDERATIONS / HURINGA ĀHUARANGI

17. There are no specific climate change impacts or considerations relating to the updated Animals Bylaw 2020.

## NEXT STEPS / HĪKOI I MURI MAI

18. The next step will be to undertake public consultation on the updated Animals Bylaw 2020 in a manner that gives effect to the requirements of section 82 LGA 2002. Public consultation will run from 3 to 28 October 2026. Any feedback received during consultation will be reported back to Council along with a final Animals Bylaw 2020 for adoption.

## SIGNIFICANCE AND ENGAGEMENT / KAUPAPA WHAKAHIRAHIRA

19. In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of moderate importance because the keeping of animals is considered to be of interest to the public but the proposed amendments to the Animals Bylaw 2020 are not considered to have any additional impact on the public compared to the current provisions in the Animals Bylaw 2020.

20. The report seeks approval of the Animals Bylaw 2020 incorporating the proposed amendments, for public consultation, as such the matter is considered to be reversible when the final Animals Bylaw 2020 is reported to Council for adoption after public consultation.

21. Public consultation is proposed to be carried out on the updated Animals Bylaw 2020 in a manner that gives effect to the requirements of section 82 LGA 2002.

## OPTIONS / KŌWHIRINGA

### Option 1 Approve the Animals Bylaw 2020, incorporating the proposed amendments, for public consultation.

*Financial and Resourcing Implications / Ngā Hīraunga ā-pūtea, ā-rauemi*

22. There are no significant financial or resourcing implications relating to the review and implementation of the Bylaw which is being undertaken within existing budgets.

*Risk Analysis / Tātaritanga o Ngā Mōrearea*

23. There are considered to be no risks associated with the updated Animals Bylaw 2020 and its approval for public consultation.

*Alignment with Strategic Framework and Promotion or Achievement of Community Outcomes / Te Hāngaitanga ki te Anga Rautaki me Te Tutuki/Whakatairanga o Ngā Whāinga ā-hāpori*

24. Having a bylaw on the keeping of animals promotes the Community Outcome Goals of 'People live well, now and into the future' and 'Communities are connected, heard, and proud to live here'.

*Statutory Responsibilities / Ngā Haepapa ā-ture*

25. Section 156 Local Government Act (LGA) 2002 sets the consultation requirements when making, amending, or revoking a bylaw. The proposed amendments to the Animals Bylaw 2020 are not considered to be of significant interest to the public and are not likely to have a significant impact on the public. Therefore, in accordance with s156(1)(b) LGA 2002, public consultation will be undertaken in a manner that gives effect to the consultation requirements of section 82 LGA 2002.

*Consistency with Policies and Plans / Te Paria i ngā Kaupapa Here me ngā Mahere*

26. A decision to consult on an updated Animals Bylaw 2020, noting the intent to retain the Bylaw, is consistent with Council's policies and plans including the LTP and Annual Plans which include budget for regulatory enforcement relating to the current bylaw.

*Participation by Māori / Te Urunga o Ngāi Māori*

27. Iwi and hapū were contacted via email with an opportunity to provide feedback during the pre-engagement stage of the bylaw review. Officers will inform iwi and hapū of the public consultation on the updated Animals Bylaw 2020.

*Community Views and Preferences / Ngā tirohanga me Ngā Mariu ā-hāpori*

28. Key stakeholders relating to the matters covered in the Animals Bylaw 2020 were contacted during the pre-engagement stage of the bylaw review. Feedback was received from several stakeholders which has been detailed in this report. The proposed amendments to the Animals Bylaw 2020 are as a direct result of the feedback received during pre-engagement.

29. Public consultation on the updated Animals Bylaw 2020 will provide opportunity for the community to give their views and preferences.

*Advantages and Disadvantages / Ngā Huanga me Ngā Taumahatanga.*

30. The advantage of this option is that the community will have the opportunity to provide their views and preferences on the updated Animals Bylaw 2020.

31. Another advantage is that the bylaw review process will remain within timeframe to ensure continuity of the regulation for the keeping of animals.

**Option 2 Make amendments to the Animals Bylaw 2020 and approve for public consultation.**

*Financial and Resourcing Implications / Ngā Hīraunga ā-pūtea, ā-rauemi*

32. The financial and resourcing implications of any amendments would need to be considered.

*Risk Analysis / Tātaritanga o Ngā Mōrearea*

33. Any amendments are likely to require further assessment to determine associated risks and implications.

*Promotion or Achievement of Community Outcomes / Hāpaitia / Te Tutuki o Ngā Whāinga ā-hāpori*

34. Any amendments would have to be assessed for their promotion of the Community Outcome Goals.

*Statutory Responsibilities / Ngā Haepapa ā-ture*

35. Section 156 LGA 2002 sets the consultation requirements when making, amending, or revoking a bylaw. Any amendments would have to be assessed to determine consultation requirements.

*Consistency with Policies and Plans / Te Paria i ngā Kaupapa Here me ngā Mahere*

36. Any amendments would have to be assessed for consistency with policies and plans.

*Participation by Māori / Te Urunga o Ngāi Māori*

37. Any amendments would have to be assessed for their significance to Māori. Under this option, Māori would have opportunity to provide their views and preferences on any amendments during public consultation.

*Community Views and Preferences / Ngā tirohanga me Ngā Mariu ā-hāpori*

38. Community views and preferences of any amendments may not be known. The community would have opportunity to provide their views and preferences on any amendments during public consultation.

*Advantages and Disadvantages / Ngā Huanga me Ngā Taumahatanga.*

39. The advantage of this option is that elected members would be able to propose amendments to the Animals Bylaw 2020 for public consultation.

40. The disadvantage of this option is that officers may recommend that any amendments require further analysis prior to inclusion in the Animals Bylaw 2020 for public consultation. This approach could delay the bylaw review process and impact resourcing and timing on other work programmes and priorities.

**Recommended Option**
This report recommends Option One: Approve the Animals Bylaw 2020, incorporating the proposed amendments, for public consultation, for addressing the matter.

## APPENDICES / NGĀ ĀPITIHANGA

Appendix 1 Updated Animals Bylaw 2020 (ECM 9866582)

Appendix 2 Summary of engagement feedback (ECM 9896525)

**Report Details**

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|---|---|
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| Ward/Community: | District wide |
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*----------End of Report ----------*