

# HUTT CITY COUNCIL CONTROL OF ANIMALS BYLAW 2018

Division	Strategy and Engagement
Date created	December 2018
Amendment adoption	March 2024
Publication date	March 2024
Review period	December 2028
Owner	Strategy and Policy
Approved by	Jarred Griffiths

Version	Author	Date	Description
V 1.0	Graham Sewell	December 2018	Full review of bylaw
V 2.0	Angela Gordon	March 2024	Amendment to include a section on the Keeping of Cats



# 1. INTERPRETATION

## 1.1 In this Bylaw:

**“Animal”** has the meaning defined in the Animal Welfare Act 1999 and means any live member of the animal kingdom that is a mammal, bird, bee, or any other member of the animal kingdom that is declared from time to time by the Governor General, by Order in Council, to be an animal.

**“Authorised Officer”** means any person appointed or authorised by the Council on its behalf.

**“Commercial poultry shelter or run”** means any commercial poultry operation containing more than 8 head of poultry.

**“Council”** means the Hutt City Council.

**“Domestic animal”** means any animal (including a bird or reptile but excluding bees) kept as a domestic pet; any working dog; any other animal kept by any person for recreational purposes or for the purposes of that person’s occupation or employment.

**“Nuisance”** refers to the dictionary definition (a person, thing, or circumstance causing trouble or annoyance; anything harmful or offensive to the community or a member of it and for which a legal remedy exists) or to a statutory nuisance as defined in Section 29 of the Health Act 1956.

**“Owner’s property”** includes any property the owner of an animal has a legal right to use for the purposes of keeping the relevant animal.

**“Poultry”** includes geese, ducks, turkeys, domestic fowl, roosters, or any birds kept as show birds.

**“Trapping devise”** means any trap or other similar devise made of metal or other hard material having two jaws closing on each other and operated by a spring and includes without limitation a gin trap but does not include any trap designed for trapping mice or rats or

other predator free devices (as approved by the National Animal Welfare Advisory Committee).

**“Urban area”** means the area defined as urban area in the map in Schedule 1. Council may amend this map by resolution.

## **2. GENERAL CONDITIONS OF KEEPING ANIMALS**

- 2.1 All animals shall be kept in a manner that is not, or is not likely to become a nuisance, dangerous, offensive, or injurious to health.
- 2.2 All animals shall be kept in a manner that ensures they have adequate physical wellbeing through acceptable nutrition, environment, health, behavioural stimulus, and adequate mental wellbeing.
- 2.3 All domestic animals, other than domestic cats, found at large and not within their owner’s property may be seized and impounded by an authorised officer.
- 2.4 The Council may sell, rehome or otherwise dispose of any animal seized and impounded that has not been claimed or returned within 7 days after it was seized and impounded.

## **3. Keeping of goats**

- 3.1 No goats are to be kept in any Urban Area, unless written permission has been granted by Council.
- 3.2 The Council may grant permission to keep a goat on such conditions as the Council considers appropriate. If there is a breach of any condition, Council may revoke its permission.
- 3.3 All goats must be fitted with an ear tag or collar with sufficient details to allow the owner to be traced to contacted if the goat is seized.
- 3.4 All goats must be kept within private property, unless written permission has been granted by Council to do otherwise.

## 4. Keeping of poultry

- 4.1 Poultry must be adequately contained within the owner's property, so as not to cause (or be likely to cause) nuisance, offence or be injurious to health.
- 4.2 No roosters are to be kept in any Urban Area unless written permission has been granted by Council.
- 4.3 Any owner or occupier of any property in an urban area may keep no more than 8 chickens (or other poultry) without the Council's prior written permission. In assessing an application to allow more than 8 chickens (or other poultry), the Council will consider:
- a. The number of poultry at the premises; and
  - b. Provision for the welfare, hygiene, control, and confinement of the poultry; and
  - c. Provision for the protection of other persons or property from being affected in any way by the poultry; and
  - d. The size of the property and proximity to neighbours; and
  - e. Any other factors it considers relevant.
- 4.4 Council may grant permission to keep roosters or poultry on such conditions as Council considers appropriate if there is a breach of any condition, Council may revoke its permission.

## 5. Keeping of cats

- 5.1 Every person who keeps cats must ensure that cats of 12 weeks of age or older are:
- a. Microchipped;
  - b. Registered on the New Zealand Companion Animal Register; and
  - c. Desexed (unless kept for breeding purposes and registered with a nationally recognised cat breeders' body, including New Zealand Cat Fancy Ltd and Catz Inc.).

## **6. Noise from animals**

- 6.1 No person may keep an animal that by frequent or long continued noise creates a nuisance by disturbing the quiet enjoyment of people living in the vicinity.

## **7. Health and safety issues from beekeeping**

- 7.1 No person may keep bees in such a way as to cause (or likely to cause) nuisance, offence or be injurious to health.

## **8. Offences**

- 8.1 Every person commits an offence who breaches a clause of this bylaw.

**Schedule 1: Urban Area**

