

# Planning and Development Committee Agenda

**Date:** Wednesday, 1 November, 2017

**Time:** 9:00 am

**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

**Elected Members:** Cr Greg Innes (Chairperson)  
Her Worship the Mayor Sheryl Mai  
Cr Stu Bell  
Cr Crichton Christie  
Cr Vince Cocurullo  
Cr Tricia Cutforth  
Cr Shelley Deeming  
Cr Sue Glen  
Cr Phil Halse  
Cr Cherry Hermon  
Cr Greg Martin  
Cr Sharon Morgan  
Cr Anna Murphy

For any queries regarding this meeting please contact  
the Whangarei District Council on (09) 430-4200.

**1. Declarations of Interest**

**2. Apologies**

**3. Decision Reports**

3.1 Hearing - proposed Parking and Traffic and Animals Bylaws

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**4. Closure of Meeting**

## Planning and Development Committee – Terms of Reference

### Membership

**Chairperson:** Councillor G C Innes

**Members:** Her Worship the Mayor Sheryl Mai  
Councillors Stu Bell, Crichton Christie, Vince Cocurullo, Tricia Cutforth, Shelley Deeming, Sue Glen, Phil Halse, Cherry Hermon, Greg Martin, Sharon Morgan, Anna Murphy

**Meetings:** Monthly

**Quorum:** 7

### Purpose

To oversee planning, monitoring and enforcement activities, and guide the economic and physical development and growth of Whangarei District.

### Key responsibilities include:

- Regulatory / Compliance
  - Environmental health
  - General bylaw administration
  - Animal (dog and stock control)
  - Hazardous Substances and New Organisms Control
  - Parking Enforcement (vehicles registrations and warrant of fitness)
  - Noise Control
  - Food Act
  - Landuse Consents
  - Building Act
- Building Control
  - Property Information and Land Information Memoranda
  - Consents and inspections
- Resource Consents
  - Subdivision, Land Use and Development Control
  - Development Contributions
- District Plan
  - Plan Changes
  - District Plan administration

- Strategic Planning
  - Futures planning
  - Urban design
- Economic Development
  - District Marketing/Promotions
  - Developer engagement
- Commercial Property
- Shared Services – investigate opportunities for Shared Services for recommendation to council.

## **Delegations**

- (i) All powers necessary to perform the committee's responsibilities, including, but not limited to:
  - (a) approval of expenditure of less than \$5 million plus GST.
  - (b) approval of a submission to an external body
  - (c) establishment of working parties or steering groups.
  - (d) power to establish subcommittees and to delegate their powers to that subcommittee.
  - (e) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
  - (f) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002



### 3.1 Hearing – proposed Parking and Traffic Bylaw and Animals Bylaw

**Meeting:** Planning and Development Committee  
**Date of meeting:** 1 November 2017  
**Reporting officer:** Shireen Munday – Strategic Planner

#### 1 Purpose

To receive the submissions and feedback to the proposed new bylaws and to hear submitters who wish to be heard.

#### 2 Recommendations

That the Committee

- a) Receives the submissions as attached in Attachments 1 and 2.
- b) Hears the submitters who wish to be heard in support of their submission.

#### 3 Background

At its meeting on 14 September 2017 the Planning and Development Committee adopted two Statements of Proposal to revoke and replace Council's Parking and Traffic Bylaw and Keeping of Animals, Poultry and Bees Bylaw. This proposal was a result of the statutory reviews of the bylaws completed in accordance with s159 of the Local Government Act 2002.

The activities to give effect to the Special Consultative Procedure requirements as described in the report tabled at the 14 September meeting have been completed.

The Committee will now hear submitters before deliberating on the issues raised in submissions. The deliberations meeting is currently scheduled for 22 November.

#### 4 Discussion

##### 4.1 Submissions and submitters to be heard

At the time of writing the following submitters have requested to be heard:

Name	Organisation	Bylaw
Tracy Hudson-Owen	NA	Animals Bylaw
Megan Khan-Ure	The NZ Companion Animal Council Inc	Animals Bylaw
Johnathan Hampson	NA	Animals Bylaw
Nena Rogers	Whangaruru South Residents and Ratepayers Assoc Inc	Animals Bylaw
Warren Daniel / Peter Hope	Ruakaka Parish Residents and Ratepayers Assoc Inc	Parking and Traffic Bylaw

Copies of the submissions received are provided in Attachment 1 (Parking and Traffic Bylaw) and Attachment 2 (Animals Bylaw) with this report.

## 4.2 Overview of submission issues raised

The discussion section has been split into the submissions and feedback received for each bylaw.

### Parking and Traffic Bylaw

A total of six submissions were received on the proposed Bylaw. The feedback topics are summarised in the table below together with staff comments where appropriate.

Topic	#	Summary	Staff comments
Mobility parking	2	Submitters are opposed to the proposal to charge for parking in mobility parking spaces. Submitters consider they have paid an annual fee for this.	Both submitters mention an annual fee. Council does not charge any annual fees for parking in mobility parking spaces.  The submitters may be referring to the national Mobility Parking Permit issued by CCS Disability Action. Long term permits cost \$50 and must be re-applied for every 5 years.
Electric vehicle (EV) parking	1	Submitter wishes to see Council support EV parking.	The proposed bylaw provides a framework for Council to establish EV parking spaces and fix specific charges for those spaces. Issues raised should be addressed through the Parking Strategy.
Various technical/wording issues	2	One submitter has questioned some of the technical content of the proposed bylaw.	Legal advice on the proposed bylaw has been sought, both in general and on the issues raised by the submitter. Proposed changes to address these matters where relevant and confirmed through the legal advice, will be presented to the Committee at the deliberations meeting.

Topic	#	Summary	Staff comments
		Another submitter has identified the incorrect title reference to a New Zealand Transport Agency document.	The required edit will be made to the final Bylaw.
Heavy vehicle Parking	1	Submitter wishes to see Council controlling heavy vehicle parking	The proposed bylaw allows for Council to restrict heavy vehicle parking by resolution.
Parking off a roadway	1	Submitter supports the proposal	
Restriction of heavy vehicle movements in residential areas	1	Submitter is concerned regarding heavy vehicles using Marsden Point Road.	<p>The Speed Limits Bylaw provides for the setting of specific speed limits on roads, not a Parking and Traffic Bylaw.</p> <p>It is possible to include a clause in the Bylaw to allow for vehicle restrictions on specific streets by way of resolution.</p>

### Animals Bylaw

A total of 17 submissions were received on the proposed Bylaw. The feedback topics are summarised as follows together with staff comments where appropriate.

Topic	#	Summary	Staff comments
Bees	12	Submitters provided significant feedback on this topic. Most submitters provided comprehensive feedback on the practicalities of the proposed rules and wish to see urban beekeeping supported within a sensible and practical suite of rules. Two submitters expressed their concerns regarding urban bees in general, including a submitter who is anaphylactic in relation to bees.	Staff will analysis the submissions in detail to determine appropriate recommendations for changes to the proposed bee clauses of the bylaw to accommodate the feedback as appropriate.
Cats	2	<p>One submitter wishes to see cats excluded from the requirement for animals to be kept so they cannot roam off the owner's property.</p> <p>The second submitter wishes to see the bylaw include provisions for all cats to be de-sexed as well as micro-chipped.</p>	Staff will report back on the issues raised as part of the deliberations report.

### 4.3 Next steps

The report to the Committee's deliberation meeting on the 22 November will focus on both the issues raised in submissions, as well as the legal advice sought on both proposed bylaws. This will likely result in recommendations for changes to the bylaw under these two headings.

Matters in the proposed bylaws for which no submissions were received, and where no changes are required because of the legal reviews need not be addressed during

deliberations. These matters can be included as proposed in the final draft bylaws for Council resolution.

## **5 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significant and Engagement Policy as the purpose of the meeting is to hear submitters, no decisions are being sought. The public will be informed via agenda publication on Council's website.

## **6 Attachments**

Attachment 1 – Submissions to proposed Parking and Traffic Bylaw

Attachment 2 – Submissions to proposed Animals Bylaw

Whangarei District Council  
Submissions

Proposed Parking and Traffic Bylaw 2017

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**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Parking and Traffic Bylaw Submission - Raewyn Andrew - 2017-09-26  
**Date:** Tuesday, 26 September 2017 3:30:56 PM

[Submitted by Anonymous User]

Do not reply to this email - This mailbox is not monitored. This is a copy of information submitted for your records.

### Please enter your details below:

* Full Name(s):	<input type="text" value="Raewyn Andrew"/>
Postal Address:	<input type="text" value="8 Heartstone place"/> <input type="text" value="Rd1 kamo"/>
* Best Daytime Phone Number:	<input type="text" value="0274597099"/>
<small>(If you do not have a daytime telephone number, please type N/A in the above box).</small>	
Mobile Number:	<input type="text"/>
Email:	<input type="text" value="raewynandrew130@hotmail.com"/>
* I am writing this submission:	<input type="text" value="as an individual"/>
Name of Organisation:	<input type="text"/>
<small>(Please provide an organisation name only if you are making this submission on behalf of that organisation).</small>	

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission as well as attending an event.

Please register if you want to talk about your thoughts on the proposal:

- |                                                                       |                                   |
|-----------------------------------------------------------------------|-----------------------------------|
| * Attend the formal Hearings - 9am Wednesday 1 November 2017          | <input type="button" value="No"/> |
| * Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017 | <input type="button" value="No"/> |

The Hearing will be held in Council Chambers, and the Have your Say Event in the Cafler Suite, both at Forum North. More information on the Have Your Say Event can be found on our website (links at top of page) and in the consultation documents available through Council offices.

Please get your registration to us by **5:00pm Sunday 15 October 2017**.

If you are not providing a written submission, you can now scroll to the bottom of the page and click submit.

### Tell us in writing

Your feedback should reach us before **5:00pm on Sunday 15 October 2017**.

If you also want to attend the Hearing or the Have Your Say Event, please fill in the previous section.

Please add your comments below and tell us what decision(s) you want Council to make on these matters.

This box will start to expand as you start typing.

It is ridiculous to charge for disability parking. My son is disabled and i pay an annual fee for him to use the park when there is a free space they are usually taken up by people who dont have a disability or the over 65s that are quite capable of using the other parks but use the disability park as they think its their right when they turn 65. Are you going to charge the general public an annual fee as well as parking fees for the regular parks. This does not seem very for for those who through no fault of their own struggle day to day getting about

*Please check that the details you have provided are correct before you submit the form – once you click the [Submit Form] button the form cannot be changed.*

*If you have supplied a valid email address, a copy of this completed form will be emailed to you.*

**From:** Olli Krollmann  
**To:** [Mail Room](#)  
**Subject:** Suggestion for Parking Strategy and support for EVs in general  
**Date:** Wednesday, 20 September 2017 3:15:59 PM

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Hello WDC

I just had a look at the proposed Parking and Traffic Bylaw. While I'm happy with the provision in section 15 that parking places can be dedicated to electric vehicles, I'd like to make a few suggestions for the parking strategy, to promote the uptake of electric vehicles and reward early adopters for their positive contribution to climate change as well as less noise and exhaust in the city.

My suggestions:

- Eliminate or reduce (by at least 50%) the parking fees for electric vehicles.
- Create a virtual "EV" parking zone in mPark to implement free parking, or parking at a reduced rate (EV owners would choose this zone instead of the one designated on the ticket vending machine or the mPark website).
- An 0800 number and email address to report parking violations of EV parking spaces (for example occupancy by a pure petrol or diesel or other non-plug-in electric vehicle) to a parking warden, for ticketing. The email address should accept emails including photos of parking violations. The 0800 number can be a recording service. These contact methods can be integrated in mPark.

Aside from these suggestions for EV parking, I'd like to see WDC encourage the uptake of electric vehicles, by setting a good example (for example switching the car pool to EVs, publishing EV success and cost-saving stories) and supporting businesses and schools when it comes to creating and setting up EV infrastructure (parking spaces, chargers) as well as providing education to the public.

Given our already excellent EV charging infrastructure in Northland, there is a great opportunity here to spread the word further and not lose momentum in the (so far faster than planned) adoption of electric vehicles.

Thank you for your consideration.

Best regards

Oliver Krollmann

One Tree Point

Submission on Proposed Parking & Traffic Bylaw 2017

Councillors,

Thank you for the opportunity to submit on the proposed Parking & Traffic Bylaw 2017. The proposed bylaw is a great improvement on the current bylaw. My comments on the proposed bylaw, intended to be constructive, are as follows:-

Clause 5.1 contains the words, “provided for in this section.” It is not clear what section of what Act is being referred to. Should it perhaps be, “.... this *clause* ....” of the bylaw?

Clause 8.1, instead of referring to “any road,” should refer to “a road specified in that resolution.”

Clause 15.2 makes no sense to me.

Clause 24 is *ultra vires*, invalid. There is authority in Section 22AB(1)(o)(2) of the Land Transport Act 1988 for a bylaw which reserves parking places for certain classes of people; but Clause 24 of the proposed bylaw purports to authorize Council to grant privileges to persons not of the classes in subsection (1)(o)(2). There is no authority for that.

Clause 25 is likewise invalid. Subclause 25.2 purports to authorize Council to give permission to “a person” not to comply with the prohibition in subclause 25.1. Who gets this privilege? The bylaw does not even hint at how favoured individuals qualify. Section 13(1) of the Bylaws Act 1910 enables a bylaw to provide that a prohibition may be dispensed with; but then subsection (2) says, “*This Section shall not apply to any case in which the discretion left by the bylaw ..... is so great as to be unreasonable.*” The discretion provided for in Clause 25.2 is total, untrammelled – and so invalid.

M.G.Millington  
13 Hoey Street, Kamo



# SUBMISSION & REGISTRATION FORM

## Proposed Parking and Traffic Bylaw

Thank you for taking this opportunity to comment, we welcome your feedback.

Please enter your details below

First name(s): HENNIE LOMBARO

Last name: \_\_\_\_\_

Postal address: AUCKLAND OFFICE, HSBC BUILDING, LEVEL 11, 1 QUEEN STREET, AUCKLAND

Best daytime phone number: 09 928 8725

Mobile: \_\_\_\_\_

Email: hennie.lombard@nzta.govt.nz

I am writing this submission (✓ box) ☐ as an individual / ☒ on behalf of an organisation

Organisation name: THE NZ TRANSPORT AGENCY

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission, as well as attending an event.

Please register for one of the options below if you are interested in talking to Council in person:

**Attend the formal Hearings - 9am Wednesday 1 November 2017** (✓ box) ☐ Yes ☐ No

**Attend our Have Your Say Event - 4-6 pm Tuesday 17 October** (✓ box) ☐ Yes ☐ No

The Hearing will be held in Council Chambers, and the Have your Say Event in the Cafler Suite, both at Forum North. More information on the Have Your Say Event can be found on our website and in the consultation documents available through Council offices. Please get your registration to us by 5pm Sunday 15 October.

### Tell us in writing

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### How to register and/or get this form to us



#### In person:

By visiting Customer Service desks at either: Forum North, Rust Ave, Whangarei, or

Ruakaka Service Centre, Takutai Place, Ruakaka Or by phoning

09 430 4200 or 0800 932 463 and one of our friendly Customer Service staff will fill out this form for you over the phone



#### By mail:

Parking and Traffic Bylaw  
Whangarei District Council Private Bag 9023  
WHANGAREI 0148  
or fax to 09 438 7632



#### Online/email:

Complete this form online: [www.wdc.govt.nz](http://www.wdc.govt.nz) or email us: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)

## Points to remember when making a submission

- Please print clearly. The form should be easy to read and be understood, and may need to be photocopied.
- We will respond in writing to every submission received. Please ensure that you provide appropriate contact details for this. Emails are our preferred form of communication.
- All submissions are considered public under the Local Government Official Information and Meetings Act, and may be published and made available to elected members and the public.
- Your submission will not be returned to you once it is lodged with Council. Please keep a copy for your reference.

Please write your comments below and where appropriate provide us with the decision(s) you are seeking from Council on the issues raised.

Please include the heading and page number of any specific bylaw clauses you are commenting on.

THE TRANSPORT AGENCY HAS REVIEWED THE PROPOSED PARKING AND TRAFFIC BYLAW, NOTIFIED BY WHANGAREI DISTRICT COUNCIL. THE TRANSPORT AGENCY SUPPORTS THE PROPOSED BYLAW IN ITS ENTIRETY EXCEPT FOR ONE PROPOSED AMENDMENT:

- CLAUSE 13.3.2 REFERS TO THE TRANSIT NEW ZEALAND MANUAL OF TRAFFIC SIGNS AND MARKINGS. THIS MANUAL HAS BEEN REPLACED BY THE NZ TRANSPORT AGENCY TRAFFIC CONTROL DEVICES MANUAL, AND THE TRANSPORT AGENCY SEEKS FOR THE PROPOSED BYLAW TO REFER TO THE TCD MANUAL.

Feel free to add additional pages if required.

# SUBMISSION & REGISTRATION FORM

## Proposed Parking and Traffic Bylaw

Thank you for taking this opportunity to comment, we welcome your feedback.

Please enter your details below

First name(s): WARREN

Last name: DANIEL

Postal address: P.O. Box 151  
RUAKAKA 0151

Best daytime phone number: 09 4327268

Mobile: 0275 327268

Email: wjdaniel@xtra.co.nz

I am writing this submission (☒ box) ☐ as an individual / ☒ on behalf of an organisation

Organisation name: RUAKAKA PARISH RESIDENTS AND RATEPAYERS ASSOCIATION INC.



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### In person:

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Ruakaka Service Centre, Takutai Place, Ruakaka Or by phoning

09 430 4200 or 0800 932 463 and one of our friendly Customer Service staff will fill out this form for you over the phone



### By mail:

Parking and Traffic Bylaw  
Whangarei District Council Private Bag 9023  
WHANGAREI 0148  
or fax to 09 438 7632



### Online/email:

Complete this form online: [www.wdc.govt.nz](http://www.wdc.govt.nz) or email us: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)



## Points to remember when making a submission

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Please write your comments below and where appropriate provide us with the decision(s) you are seeking from Council on the issues raised.

Please include the heading and page number of any specific bylaw clauses you are commenting on.

*cf attached written submission.*

Feel free to add additional pages if required.

## **Ruakaka Parish Residents and Ratepayers Association Inc.**

PO Box 151, Ruakaka, 0151

11 October 2017

### **Submission to Whangarei District Council's Proposed Parking and Traffic Bylaws 2017**

#### **Preamble**

Page 5.

We note that Council is responsible for, among other things:-

- Protecting the public from nuisance. We presume that to mean that residents should at all times to enjoy the peaceful enjoyment of their local surroundings. Nuisance can include noise, dust, and other inconveniences.
- Protecting, promoting and maintaining public health and safety. This must mean that due regard must be given to road safety as well as such factors affecting residents health. One of these health factors must include sleep deprivation.

We also note from page 5 that a Parking and Traffic Bylaw can provide:

1. Controls on roads to minimise safety concerns.
2. Parking management control to avoid public disturbance.
3. Provisions for activities in public places that can cause danger to health and safety

We made Submissions to the Parking and Traffic Bylaw Review in July 2017. We are disappointed that our Submissions have not been considered appropriate.

#### **Our Submission**

##### **Page 7 – Heavy Vehicle Parking Bylaw**

This new provision does not properly cover the problem of heavy vehicle parking in Residentially Zoned parts of our District.

We still advocate for the introduction of a bylaw banning the parking of heavy vehicles in residential zones. We would like Whangarei District Council to adopt the Tauranga District Council's Traffic and Parking Bylaw 2012 21.1 –



Parking of Heavy Vehicles in Residential Areas. It has been in place since 2012 and we have filed a report from Tauranga regarding its experience in enforcing the Bylaw in our original Submission. Their Bylaw is legally enforceable and has not been difficult to administer.

By adopting their Heavy Traffic Parking Bylaw, Tauranga District Council have shown due regard to protecting their residents from public nuisance and to ensuring their health and safety.

We urge Whangarei District Council to do the same

We do not agree that forcing heavy vehicles to be parked away from residential zones will have serious effects on the local economy. We note that many truck owners provide parking areas for their vehicles. E.g.,

Fonterra for their milk tankers,

Toll for their freight vehicles,

Aotearoa for their logging trucks

Ruakaka is a major destination for logging trucks. A truck park area is available in Kapa Road and Northport have advised us that they could make land available for the parking of logging trucks.

Our Association has received many complaints from our residents about the overnight parking of heavy vehicles in local residential streets. The main problem has been the starting up of heavy vehicles in the early hours of the morning causing sleep deprivation for local residents – a cause of health problems.

Many heavy vehicles are wider than the parking lines that delineate parking spaces – they encroach out onto the normal width roadway. Together with impaired sightlines from neighbouring driveways, these vehicles create very real traffic safety issues.

#### Page 5 **Legal Considerations**

We note that under this section of the proposed new Bylaws:

*“Council has considered non-regulatory options for addressing the problems addressed in the proposed bylaw. Council does not consider that non-regulatory measures will be sufficient to adequately address the problems. The difficulty with any voluntary compliance regime is that individuals may not have an adequate incentive to comply. A bylaw is the most cost effective method for Council to control parking and traffic behaviour to avoid nuisance, danger and offensive behaviour.”*

We agree with the sentiments expressed in that statement. It expresses the notion that the “carrot” approach is not always effective and that a “stick” approach can ensure compliance.

We believe that the Tauranga District Heavy Vehicle Parking Bylaw is an effective Bylaw that does not rely on any voluntary compliance and would result in a more successful outcome for residents throughout Whangarei District.

### **Page 7 - Parking off a Roadway**

We agree with this proposed new bylaw. It will probably assist in preventing the parking of heavy vehicles in residential zones. On many occasions our residents have had such vehicles parking on street berms and even on Council Reserve lands. This has caused damage to grass and garden areas.

It should be noted that in Ruakaka there are a significant number of residential streets that do not have any constructed kerbing or channelling separating the roadway from the berm.

We must ask how will the grass, lawn and garden berm areas in such streets be delineated.

### **Restriction of Heavy Vehicle Movements in Residential Areas.**

We note that there is a complete absence of any Bylaw in the proposed Traffic Bylaw which allows the control of heavy vehicle usage of roads and streets in residential zones. We feel that this is a major oversight.

Our concerns on this point relate to heavy vehicles are using Marsden Point Road south of the Ruakaka River Bridge to access Northport. SH15 was purposely built to cater for the heavy vehicles to access Northport.

We feel that a Bylaw should be put in place whereby Council has the ability to dissuade or otherwise control the use of certain roads in residential areas by heavy vehicles. It would mean that speed limits could be imposed, even though they may not comply with normal national standards. It could also impose time limits for heavy vehicle use or traffic flow impediment works could be installed.



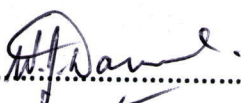
Such a Bylaw would meet the criteria of:

- protecting the public from nuisance
- protecting, promoting, and maintaining public health and safety.

In conclusion, for completeness, we append copies of:

1. The Tauranga District Council's Traffic and Parking Bylaw 2012 21.1, Parking of Heavy Vehicles in Residential Areas
2. Plus their response to our query re: Enforcement and Penalties Imposed in relation to their Bylaw

We thank Council for its consideration of our Submission

.....

(WJ Daniel)

Secretary



## **By-Laws re: Heavy Vehicle Parking Restrictions in Other Local Council Areas.**

### **1. South Waikato District Council – covers Tokoroa, Putaruru, etc.**

#### **Section 4 – Parking**

**4.12.1** The Council may by a publicly notified resolution prohibit heavy motor vehicles (defined as over 3,500kg) from parking on any part of a roadway,

**4.12.2** No driver of a heavy motor vehicle shall park on that part of a roadway subject to a Resolution made under 4.12.1 unless prior written permission from Council has been obtained.

### **2. Kawerau District Council Parking By-Laws 2011**

**9. Parking of Heavy Vehicles** – No person shall park or leave a heavy vehicle standing on any part of a road for more than 60 minutes, unless:

- a. Is within a designated parking area.
- b. Being used for delivery or removal of goods, including passengers, other than the driver.
- c. Is being used for construction or maintenance of services, structures and vegetation within the Road Reserve.

#### **d. Tauranga District Council**

##### **Traffic and Parking Bylaw 2012**

**21. Parking of Heavy Vehicles** – defined as being over 3500Kg.

**21.1** No person shall stop or park a heavy motor vehicle for a period of more than one hour in any part of a road where there is adjacent residential zoned land on either side of the road except for sites that have been designated for motor homes in accordance with Council Policy, provided however, that it shall not be an offence to stop, stand or park any heavy vehicle for such period as is reasonably required for loading or unloading that vehicle and that such loading or unloading takes place, and except in any area of road which by way of Council Resolution is declared a parking area for heavy vehicles.

**21.2** Council may by resolution declare roads or parts of roads where heavy motor vehicle parking is permitted at specified times.

20 October 2016



Ruakaka Parish and Ratepayers Association Inc.  
PO Box 151  
Ruakaka 0151

Dear Sir/Madam

**INFORMATION REQUEST – Tauranga District Council's Traffic and Parking Bylaw 2012 21.1 Parking of Heavy Vehicles in Residential Areas**

We write in response to your letter dated 14 October 2016 addressed to The Chief Executive Officer (received by Council on 17 October 2016) in which you requested the following information:

1. *The Effectiveness of Bylaw 21.1.*
2. *The methods of enforcement taken to ensure compliance with the Bylaw*
3. *The number (if any) of enforcement and prosecution actions taken in response to breaches of the Bylaw*
4. *Any other comments on the Bylaw*

We have considered your request in accordance with the Local Government Official Information and Meetings Act 1987 ("LGOIMA") and respond as follows.

1. Section 21.1 of the Traffic and Parking Bylaws 2012 is an effective tool to address the issue of heavy motor vehicles parking in residential areas.
2. When Council receives a complaint regarding a heavy motor vehicles parked in a residential zoned area for longer than 60 minutes a Parking Officer will attend to investigate. If a vehicle in breach of the bylaw is observed, 60 minutes is given and if the vehicle remains in situ a \$40 infringement is issued. If the vehicle is not present Council will send a written warning to the registered owner of the vehicle advising of the breach.
3. Over the past 12 months Council has issued on average 3 infringements per month for this offence. No prosecutions have been undertaken as a result of these infringements.
4. Council work closely with the local Police to monitor complaints of this nature.

Yours faithfully

  
Kirsty Downey  
General Manager  
Chief Executive's Group

# Have Your Say – Feedback Form

## October 2017 - Proposed Animals Bylaw

Have you also provided a written submission?      yes ☒      no ☐

### Your details:

First name: Warren

Last name: Daniel

Email: wjdaniel@xtra.co.nz

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Mobile: \_\_\_\_\_

Are you representing an organisation today?      yes ☒      no ☐

If yes, which Organisation: Ruakaka Parish Residents and Ratepayers Association

Scribe: Merryn Statham

Elected Member(s): Mayor Sheryl Mai

### Your feedback

Large trucks parked outside residential homes starting up early in the morning causing sleep deprivation. Description of the by law that has been put in place in Tauranga 2012 – should be considered as a precedent. They work in the local police to monitor complaints - legally enforceable and have \$40 fine. Security is onsite at Northport – could consider utilizing this service. Two truck stops currently available at Ruakaka. Trucks need to run for at least 20 minutes to build up the air pressure for their brake systems. Northport CEO has suggested they could make some space available if required. Complaints from Marsden Pt Rd about trucks using this route instead of Pt Marsden Highway. WDC staff have responded to requests for changing speed limit saying that part

of the zoning for that road is rural. Acknowledge,tn that trucks are legally on the road, should be able to do their business , load and unload etc. Does the One Network road classification process encompass this? RPRRA signaling their intention to make a request for support from WDC through the LTP to improve the roundabout area.

Issues to consider/follow up:

Speed limits, traffic calming, zooming, heaving vehicle parking, by law scope.

What are the traffic movement counts? Need baseline data. NZTA?

How far away is the speed limit review?

Mayor to contact Stuart Crosby to find out about the Tauranga experience.

\*Provided a copy of their submission



**From:** David Seymour  
**To:** [Mail Room](#)  
**Subject:** Traffic and parking bylaw submission  
**Date:** Tuesday, 26 September 2017 10:35:38 AM

---

Hello

I would have liked the opportunity to address this matter in person however I will be traveling south at the time so I have chosen to submit this in writing.

#### Mobility Parking - Clause 16

In my opinion the clause that is proposed seriously needs to be reconsidered.

Citizens like myself who have a disability and have paid a fee to have the privilege of a mobility parking card should not be expected then to have pay for up to one hour of parking in the city.

Very rarely do any of the people Park in the city for any extended period. Probably many are there less than an hour. Visiting the chemist or just doing a little amount of business and they're gone again.

WDC needs to look after these people and support them not seek further fees from them. These peoples lives are hard enough already without imposing more upon them.

Secondly the main mobility parking parks in town are not close to meters. So there is another issue for both WDC and the those using the parks. The cost of installing a meter at the car parks or do you expect the disabled users to go further for a ticket?

Thirdly I think you would find many very confused and upset by the suggested changes. Being it's free parking but you have to pay for up to the first hour then can stay longer than the designated time.

Please keep it simple - don't charge - do the the right thing and look after these poor folks as they have enough struggles in their life let alone having to stress about parking fees.

Kind regards

David Seymour  
 Whangarei  
 Ph: 027 4302250 or 09 9454247

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**Whangarei District Council**  
**Submissions**  
**Proposed Animals Bylaw 2017**

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# SUBMISSION

**TO:** Whangarei District Council  
**FROM:** Apiculture New Zealand  
**SUBMISSION ON:** The Keeping of Animals, Poultry and Bees Bylaw  
  
**DATE:** 13 October 2017  
  
**CONTACT DETAILS:** Apiculture New Zealand  
PO Box 25207  
Wellington 6146  
04 471 6254  
Email: [andrewp@apinz.org.nz](mailto:andrewp@apinz.org.nz)





# **SUBMISSION TO WHANGAREI DISTRICT COUNCIL ON THE KEEPING OF ANIMALS, POULTRY AND BEES BYLAW**

## **1. INTRODUCTION**

- 1.1. Apiculture New Zealand (ApiNZ) welcomes the opportunity to make this submission to Whangarei District Council (WCD) on the proposed Keeping of Animals Poultry and Bees Bylaw.
- 1.2. ApiNZ welcomes the introduction of these bylaws, noting that Beekeeping in urban areas is becoming increasingly popular, driving the need for up-to-date and fit-for-purpose rules and regulations.
- 1.3. ApiNZ notes that many Local Authorities have been undertaking similar work and we urge WDC to look to other examples to help achieve some consistency in the way in which Local Authorities apply bylaws to Beekeeping.
- 1.4. ApiNZ has published a code of conduct, which sets the standard as to how our members and industry should operate. ApiNZ recommends that compliance with this code of conduct is included as an expectation within this bylaw. You can find ApiNZ's code of conduct here:

<https://apinz.org.nz/wp-content/uploads/2017/02/ApiNZ-Beekeeper-Code-of-Conduct.pdf>

## **2. ABOUT APICULTURE NEW ZEALAND**

- 2.1. Apiculture New Zealand is the national body representing the apiculture industry in New Zealand. ApiNZ aims to support and deliver benefit to the New Zealand apiculture industry by creating a positive industry profile, business environment and opportunities for members. More information can be found at [www.apinz.org.nz](http://www.apinz.org.nz)

### 3. FEEDBACK ON PROPOSED CLAUSES

3.1. The table below provides a clause by clause commentary on ApiNZ's view on WDC's proposed bylaw, as it relates to Beekeeping.

Clause	Comment
9.1 No person shall keep more than two beehives on premises in an urban area, subject to the following conditions:	<p>ApiNZ supports a restriction of 2 hives per property under one acre. In our view this will help promote responsible stocking rates.</p> <p>ApiNZ notes that the current bylaws define a beehive as a receptacle housing a bee colony. In this instance, if anyone was to split a hive into a nucleus hive they could very easily have two hives under this definition.</p> <p>ApiNZ therefore recommends that the wording in this clause be changed to <i>"the equivalent of two hives"</i>. This means that hives can be split into nucleus hives, so long as they remain equal to "two full hives"</p>
9.1a. hives must be registered in accordance with the provisions of the Biosecurity (national American Foulbrood Pest Management Plan) Order 1998 5	ApiNZ supports this provision.
9.1b. registration codes must be displayed in a visible manner on the apiary or hive	ApiNZ supports this provision.
9.1c. the owner of the beehives must provide evidence on request of the completion of an American Foul Brood (AFB) course	<p>ApiNZ notes that not all hobbyists/ beekeepers are DECA qualified and therefore the PMP allows for DECA qualified beekeepers to inspect hives for another beekeeper (non DECA holder) and sign off the AFB annual disease inspection documents for the hive owner.</p> <p>ApiNZ recommends that the bylaw be written to state that the beekeeper must be fully compliant with the legal obligations under the AFB PMP. In this case, there is no need for any other clause or statement here.</p>
9.1 d. hives must be kept a minimum distance of 10 metres from any adjoining property	<p>ApiNZ understands the importance of this requirement. However, we note that it might not have the desired impact due to the way in which bees behave. For example, on a small section, a hive placed close to the boundary with its back to the neighbouring property would then have the bees flying out over the owner's section. A hive placed in the middle of</p>

	<p>a section (10m in) has the potential to cause more problems to the neighbouring property.</p> <p>ApiNZ recommends that this clause should state that there must be a minimum 1.8m solid barrier behind the beehive if it is placed close to a boundary - this has the same effect as the flyway barrier so that bees fly up over people if they fly into the neighbours.</p> <p>ApiNZ also recommends that the clause states that the beehive entrance must face away from any neighbouring property, with the greatest possible distance between the hive entrance and any neighbour. This is more practical than specifying a distance.</p> <p>Beehives kept on rooftops also need to be considered in the wording of this clause.</p>
9.1 e. a suitable flyway barrier must be installed within a maximum of two metres from the hives.	<p>ApiNZ understands that this relates to barriers placed in front of hives so that the bee's flightpath does not interfere with people at ground level. However, this is not clear from the current wording.</p> <p>ApiNZ notes that a flyaway barrier is a 'solid' barrier a minimum of 1.8m high placed within 2m of the hive entrance, directly in front of the hive. The idea of the barrier is to force the bees to fly upwards as they exit the hive so that they are less likely to be flying at ground level and present a nuisance to people.</p> <p>See our comments on the previous clause for our views on flyaway barrier considerations.</p>
9.2 In an urban area on a site of 4000 square metres or more, Council may issue permits for exemptions from the conditions provided in 9.1	ApiNZ supports this provision.
9.3 Any swarms occurring from beekeeping activities in an urban area must be removed by the owner as soon as possible.	<p>ApiNZ supports the rationale for removing swarms. However, we note that it is impossible to tell one swarm from another.</p> <p>ApiNZ suggests that reference to the owner of the swarm is removed and replaced with a requirement to notify a swarm collector as soon as possible.</p> <p>ApiNZ notes that there are many local beekeepers who are happy to remove swarms at no cost.</p>



9.4 Any swarms notified to Council that are not removed within 24 hours of notification, will be removed by Council and Council may recover the cost incurred in the removal activity from the owner of the hive from which the swarm occurred.

ApiNZ notes that it is almost impossible to accurately establish ownership of a swarm. As per our comments on clause 9.3 above, ApiNZ submits that focus ought to be on the quick and effective retrieval of swarms rather than proving ownership and allocating collection costs.

#### 4. CONCLUSION

- 4.1. ApiNZ submits that the introduction of these bylaws will be useful as beekeeping in urban areas is becoming increasingly popular. However, it is important that any changes are practical, fit for purpose and reflect bee keeping practices.

# SUBMISSION & REGISTRATION FORM

## Proposed Animals Bylaw

Thank you for taking this opportunity to comment, we welcome your feedback.

Please enter your details below

First name(s): Patricia

Last name: Cummins

Postal address: 30B Takaka St

Best daytime phone number: 09 4700 714

Mobile: 021 1391315

Email: trish.cummins@fultonhogan.com or 2pacificislands@gmail.com

I am writing this submission (✓ box) ☒ as an individual / ☐ on behalf of an organisation

Organisation name: \_\_\_\_\_

## Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission, as well as attending an event.

Please register for one of the options below if you are interested in talking to Council in person:

Attend the formal Hearings - 9am Wednesday 1 November 2017 (✓ box) ☐ Yes ☒ No

Attend our Have Your Say Event - 4-6 pm Tuesday 17 October (✓ box) ☐ Yes ☒ No

The Hearing will be held in Council Chambers, and the Have your Say Event in the Cafler Suite, both at Forum North. More information on the Have Your Say Event can be found on our website and in the consultation documents available through Council offices. Please get your registration to us by 5pm Sunday 15 October.

## Tell us in writing

Be sure to get your written comments to us by 5.00pm on Sunday 15 October. Follow the instructions and provide your comments on the next page. If you also want to attend the Hearing or the Have Your Say Event, please tick the relevant box in the previous section.

## How to register and/or get this form to us



### In person:

By visiting Customer Service desks at either: Forum North, Rust Ave, Whangarei, or

Ruakaka Service Centre, Takutai Place, Ruakaka Or by phoning

09 430 4200 or 0800 932 463 and one of our friendly Customer Service staff will fill out this form for you over the phone



### By mail:

Animals Bylaw  
Whangarei District Council Private Bag 9023  
WHANGAREI 0148  
or fax to 09 438 7632



### Online/email:

Complete this form online: [www.wdc.govt.nz](http://www.wdc.govt.nz) or email us: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)

### Points to remember when making a submission

- Please print clearly. The form should be easy to read and be understood, and may need to be photocopied.
- We will respond in writing to every submission received. Please ensure that you provide appropriate contact details for this. Emails are our preferred form of communication.
- All submissions are considered public under the Local Government Official Information and Meetings Act, and may be published and made available to elected members and the public.
- Your submission will not be returned to you once it is lodged with Council. Please keep a copy for your reference.

Please write your comments below and where appropriate provide us with the decision[s] you are seeking from Council on the issues raised.

Please include the heading and page number of any specific bylaw clauses you are commenting on.

I am writing in regards to the proposed Animal Bylaws 2017.

In particular Section 9. Keeping of bees in urban areas (Page 10+11), as my neighbours and I have been affected by the keeping of bees in an adjacent property which has resulted in bee fauling over our homes, vehicles + outside furniture etc. This was due to the large number 20-30 hives on a small residential section. The previous bylaw did not have repercussions should someone's bees cause a nuisance, and our neighbour knew this.

I am pleased to see that the proposed changes clearly lay out the number of hives allowed, although I feel that one hive on a small suburban section would be sufficient. Having said that the minimum distance of 10 metres from an adjoining property would prevent or restrict hives being kept in this instance.

I would like it included that the running of a commercial apiary operation in residential areas is prohibited as our neighbour was breeding queens as well as operating a large number of hives, so this sort of activity also needs to be spelled out in the bylaw.

Feel free to add additional pages if required.

**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Animals Bylaw Submission - Phil Evans - 2017-10-09  
**Date:** Monday, 9 October 2017 8:32:14 PM

[Submitted by Anonymous User]

Do not reply to this email - This mailbox is not monitored. This is a copy of information submitted for your records.

### Please enter your details below:

* Full Name(s):	<input type="text" value="Phil Evans"/>
Postal Address:	<input type="text" value="15A Dalton Cres&lt;br/&gt;Dinsdale&lt;br/&gt;Hamilton"/>
* Best Daytime Phone Number:	<input type="text" value="027 697 0374"/>
<small>(If you do not have a daytime telephone number, please type N/A in the above box).</small>	
Mobile Number:	<input type="text"/>
Email:	<input type="text" value="philevansnz@gmail.com"/>
* I am writing this submission:	<input type="text" value="as an individual"/>
Name of Organisation:	<input type="text"/>
<small>(Please provide an organisation name only if you are making this submission on behalf of that organisation).</small>	

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission as well as attending an event.

Please register if you want to talk about your thoughts on the proposal:

- |                                                                       |                                   |
|-----------------------------------------------------------------------|-----------------------------------|
| * Attend the formal Hearings - 9am Wednesday 1 November 2017          | <input type="button" value="No"/> |
| * Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017 | <input type="button" value="No"/> |

The Hearing will be held in Council Chambers, and the Have your Say Event in the Cafler Suite, both at Forum North. More information on the Have Your Say Event can be found on our website (links at top of page) and in the consultation documents available through Council offices.

Please get your registration to us by **5:00pm Sunday 15 October 2017**.

If you are not providing a written submission, you can now scroll to the bottom of the page and click submit.

### Tell us in writing

Your feedback should reach us before **5:00pm on Sunday 15 October 2017**.

If you also want to attend the Hearing or the Have Your Say Event, please fill in the previous section.

Please add your comments below and tell us what decision(s) you want Council to make on these matters.

This box will start to expand as you start typing.

I own 2 beehives in Hamilton, but need to comment on parts of the WDC proposal.  
 9.1d states hives must be 10m from any boundary. This is absolutely impractical for many people and would put a hive in the very middle of the yard, and in some yards it would be physically impossible where the span is less than 20m. The best place for a hive is near a sheltered fence and where the fence acts as a flyway barrier, taking the bees up and away from neighbours properties. That means 9.1e is moot.  
 I know many people who have bee hives where their neighbours have no idea they even exist.

As for the issue of swarms, education needs to be made available telling the public that while bees are swarming, they are very unlikely to sting. Just before they swarm, they gorge themselves on

honey or nectar, so they have energy ready to build new comb at their new home. They are not interested in stinging, their priority is finding the queen. My bees swarmed just today, and I was able to stand right in the middle of the swarming mass, some 10meters in all directions, in just a t-shirt and shorts. Once they settled on a branch, I was able to collect the swarm and move it into a second hive without a bee suit or gloves, and I did not get a single sting. The whole swarm process took about 45 minutes from swarm start to the move complete. No gear, no stings.

It is clear to me that whoever wrote this section of the proposed bylaw has absolutely no idea about bees and bee behaviour. The proposal is a complete nonsense, and sets up a situation where bees will disappear from cities, and that cannot be acceptable.

If this proposal has been written in response to 1 or 2 complaints, then those actual complaints need to be addressed with the beekeepers, and not a sledgehammer approach like this proposal.

Please ensure that a number of experienced beekeepers in and around the WDC area are fully consulted before this proposal is even considered moving forward. In its current state, regarding bees, it is just plain wrong.

---

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*If you have supplied a valid email address, a copy of this completed form will be emailed to you.*

*Otherwise please print a copy of it for your own records before you close this window.*

*Submit Button - This button will become active when all mandatory fields are filled in (fields marked with \*) and you click once on the button.*

*All submissions are considered official information under the Local Government Official Information and Meetings Act, and may be published and/or made available to elected members and the public.*



**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Animals Bylaw Submission - Jonathan Wyn Hampson - 2017-10-11  
**Date:** Wednesday, 11 October 2017 10:49:32 PM

[Submitted by Anonymous User]

Do not reply to this email - This mailbox is not monitored. This is a copy of information submitted for your records.

### Please enter your details below:

\* Full Name(s):

Jonathan Wyn Hampson

Postal Address:

54 Cartwright Road, Onerahi, Whangarei, 0110

\* Best Daytime Phone Number:

0211120187

(If you do not have a daytime telephone number, please type N/A in the above box).

Mobile Number:

Email:

jonny.hamps@gmail.com

\* I am writing this submission:

as an individual

Name of Organisation:

(Please provide an organisation name only if you are making this submission on behalf of that organisation).

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission as well as attending an event.

Please register if you want to talk about your thoughts on the proposal:

\* Attend the formal Hearings - 9am Wednesday 1 November 2017

☐ Yes

\* Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017

☐ No

The Hearing will be held in Council Chambers, and the Have your Say Event in the Cafler Suite, both at Forum North. More information on the Have Your Say Event can be found on our website (links at top of page) and in the consultation documents available through Council offices.

Please get your registration to us by **5:00pm Sunday 15 October 2017**.

If you are not providing a written submission, you can now scroll to the bottom of the page and click submit.

### Tell us in writing

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If you also want to attend the Hearing or the Have Your Say Event, please fill in the previous section.

Please add your comments below and tell us what decision(s) you want Council to make on these matters.

This box will start to expand as you start typing.

My submission is concerned with the proposed Animal Bylaw 2017, specifically Part 3, section 9 – keeping bees in urban areas.

This section is overly restrictive in terms of the number of hives it permits on a property and the requirement for hives to be kept a minimum distance of 10 metres from any adjoining property.

The 10 metre minimum distance is an arbitrary and unnecessary requirement that will prevent many responsible and established beekeepers from continuing a long standing tradition of urban beekeeping. It is my assertion that few urban properties could meet this proposed minimum distance and effectively amounting to a ban on urban beekeeping to all but the most privileged

landowners.

I have kept three hives at my Onerahi home for the past 4 years without complaint from my neighbours who are aware of my hives and appreciate the honey they receive each season. My property is a good size, approximately 900 square metres and is 18 metres wide. There is sufficient fencing and shrubbery to screen the neighbours and the hives are positioned so that the flightpath is towards an open expanse away from neighbouring dwellings. The hives are located 4 metres from the property boundary and 20 metres from any dwelling on the adjacent properties. However, I cannot continue to keep bees if a 10 metre minimum distance were to be imposed, as I have insufficient width.

I contacted Council's Bylaw Planning officer, Shireen Munday, to understand how and why these provisions were developed. She explained that the provisions were drafted following a review of the recent Auckland Council animals bylaw and in consultation with a single beekeeper. She also informed me that Council does not currently experience significant nuisance issues with urban beekeeping and that what is proposed is a 'blunt instrument' means of control.

Consulting with a single beekeepers views is an insufficient level of consultation to determine practicable nuisance controls. With regard to the Auckland Council bylaw it is highly permissive with respect to beekeeping – no limit on hive numbers or minimum distance is required. It is underpinned by the rational that the beekeeper will simply not create a nuisance through their activity or face enforcement action. I cannot see how a 10 metre boundary distance can be interpreted from the Auckland Council bylaw.

Other councils who have recently replaced their animals bylaw include Palmerston North DC and Whanganui DC. Both these bylaws are more permissive than that currently proposed by WDC although neither are as permissive as Auckland Council.

I understand and respect that beekeeping needs to be covered in the bylaw. However, given that there is no recent history of significant nuisance arising from urban beekeeping I request that WDC implement a bylaw that is permissive, based on competent and respectful beekeeping practice rather than prescriptive boundary distances and hive numbers. If this approach can work for urban Auckland then it can work in Whangarei.

If Council is not amenable to such an approach then I request that they adopt the Palmerston North City Council provisions, these being;

- The property must be at least 500m<sup>2</sup>
  - Hives must not be closer than 1 metre to any boundary unless there is a solid fence 1.6m or taller on that boundary
  - The number of hives must not exceed the number allowed for your property area:
- |                                          |                         |
|------------------------------------------|-------------------------|
| Property area                            | Maximum number of hives |
| 500m <sup>2</sup> to 700m <sup>2</sup>   | 2                       |
| 701m <sup>2</sup> to 1000m <sup>2</sup>  | 4                       |
| 1001m <sup>2</sup> to 2000m <sup>2</sup> | 6                       |
| 2001m <sup>2</sup> or greater            | 8                       |

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*If you have supplied a valid email address, a copy of this completed form will be emailed to you. Otherwise please print a copy of it for your own records before you close this window.*

*Submit Button - This button will become active when all mandatory fields are filled in (fields marked with \*) and you click once on the button.*

*All submissions are considered official information under the Local Government Official Information and Meetings Act, and may be published and/or made available to elected members and the public.*

Trudy Hudson-Owen  
108B Whareora Road  
RD5  
Whangarei

11<sup>th</sup> October 2017

Whangarei District Council  
Private Bag 9023  
Whangarei  
Attn: Proposed Animal, Poultry and Bees Bylaw

To whom it may concern,

I submitted a submission to the council in regards to this proposed bylaw change back in August 2017.

I am particularly interested in section 9 - Keeping bees in urban areas.

The change in this bylaw is extremely important to me as I have an anaphylaxis to bee stings for which I wear a Medical Alert bracelet and always have a current and up to date EpiPen in case of an emergency. I have been having ongoing issues with a neighbour who has acquired bee hives on the property next door. We have been living here for more than 10 years and have never had an issue with bees until he moved in and then got the beehives. There is also now another neighbour a little further away who has a lot of bee hives.

The change in the bylaws gives all the rights to the beehive owners and none to people who do not want them and this is totally unfair.

In the time that I have been dealing with the Council, ENL and Armourguard about this issue they have lacked any commitment to it and everyone keeps saying the bylaw is up for review and will sort these problems out..... Well it's definitely not doing that, it's doing the opposite. Everyone I have spoken to has agreed with me in the fact that people living in my living zone should not be allowed to keep bee hives so how can the change in this bylaw be so onesided?

There should be no beehives permitted in Living Zone 3 or any other Living Zone that has residential housing in it.

Bees and humans cannot live together and coexist in harmony in a built up residential area.

What happens to the people who do not want bee hives living next door? There are a lot of people with the same life threatening anaphylaxis allergy as me and every day we risk our lives as bees are out there everywhere. However, I do not think that we should be at an increased risk in our own homes!!! This should be a safe place for us and you are not allowing this by the

change in the bylaw. We are at risk all the time when outside, whether this is at home, at someone else's house or out in public anywhere else and this is a risk you have to take as you need to get on with life but you shouldn't be at a heightened and highly increased risk to your life when you're in your own home. I should be able to carry on life as normal when I am in my own home. We have bees everywhere because of these hives, we have bees inside our house on a regular basis, they're on the washing when you bring it inside and on your outdoor furniture when you want to use it. It makes you feel like a prisoner inside your own home. I no longer hang our washing outside due to the bees other than the sheets and I wear shoes inside my house in case I step on a bee that's on the floor inside our house. I feel like a prisoner in my own home which is absolutely ridiculous!!!

With having bee hives just on the other side of our fence it's a tad scary for me especially when I am home a lot on my own. As soon as I open the windows or doors we have bees inside, they're already all over our outdoor area and on the driveway etc. This is impacting on my life and the life of my family and children and any visitors that we may have. Visitors say that it is unacceptable when you live in a built up area and they fear for me living here with so many bees around.

Having bee hives live next door to you when you have an allergy like mine is life threatening. I have been stung whilst out of town and had to be rushed to hospital via ambulance, I was in very desperate need of adrenaline by the time the ambulance got to us and was struggling for breathe. It is a very scary and traumatic event to go through and one I do not wish to repeat as the reaction gets worse and faster each time you get a sting. I carry an epipen and have several at home as I may need the adrenaline at 15 minute intervals until the reaction stops. It is particularly terrifying for my young children to witness and I wouldn't want them to see this happen again.

The bee numbers, particularly in the spring and summer months have risen to be ridiculous on our property and surrounding properties. We have had to remove most flowering plants and trees from our property so not to encourage them and we no longer have a vege garden.

The other thing that is a real nuisance is the huge increase in what we thought was pollen all over everything outside. It's unbelievable and disgusting and a real problem!!! However, it's not pollen..... It's bee excrement! It's little yellow dots all over all your stuff outside and it's really hard to clean off and leaves awful marks on everything. It's all over your outdoor furniture, cars, concrete, outdoor living, windows, and washing etc. You can wash the car or clean the windows and within a very short time frame it's covered again, extremely frustrating. It's particularly hard to get off the wooden outdoor furniture, you have to scrub it with hot soapy water and eventually it comes off but leaves a mark. We hardly used our outdoor furniture last summer as there were either too many bees around during the day or if it was later in the evening when the bees weren't there you didn't want to because it was covered in bee shit and you had to try and clean it before you could use it. If you hang your washing outside it gets covered in it, so when I hang my sheets outside they come in with yellow dots all over them and it looks awful. You almost want to wash it again and hang them inside or use the dryer. I know that this is happening to other neighbours as well and they are frustrated with it and fed up with the mess they make. I'm sure the beehive owners wouldn't like it if I put my dog's poo all over his property.

The bee hives are also at risk of being attacked by other bees. We had an incident with the neighbours beehives where there were hundreds of bees flying around and they were very angry. I'm not sure why they were but it was very scary and it happened so quickly. I ran and hid in a room while my kids and husband had to shut the house up very quickly as they were all coming inside. The kids were so frightened that we had to get in the car in the garage and go out as they didn't want to stay here with that going on. We shouldn't have to live like this in our own house!!!! My kids are so scared that these bees are going to sting me and it shouldn't be like that, I feel so awful and sad for them that they feel like this. It's a very scary thing to encounter when you have a life threatening allergy to them. So why should we have to go to such ridiculous lengths to keep ourselves safe on our own property.

There are plenty of large farm properties that are out of town that can accommodate bee hives, it's much easier to relocate bee hives than moving a whole family and selling and buying houses etc because of it.

I don't have anything against bees as I know we need them. We need them to pollinate our fruit and veges etc and we eat heaps of these but surely this can be done in a more controlled manner. I still don't want to have a hugely increased risk to my life in my own home, particularly in an area where it is not necessary and is built up with residential housing, not large fruit orchards or vege farms.

If there is an absolute necessity to have them in built up residential areas then the owners need to have signed permission from all neighbours within a certain radius so that they are all aware of the situation. And if they don't all agree for whatever reason then they are not permitted to have the bee hives.

It certainly needs to be much easier to enforce the removal of the bee hives should they be causing any kind of nuisance or public safety to anyone whether that be in person or their property. Or if neighbours no longer want them there due to personal circumstances of some kind. This needs to be done before someone does get stung and something untoward happens, what sort of situation would the council be in if this did happen and it was proven that people had tried to get something done about it but the council hadn't acted on it because it was too difficult.

I have spoken to the local Beekeepers Club and they have their hives on rural properties out of town and can't believe that someone would keep bee hives on a property when they know their neighbour has an anaphylaxis to bee stings. It is much easier to relocate bee hives rather than us having to sell our property and move a whole family somewhere else where there are no beehives living next door and with this new bylaw it means that anyone can own beehives on any property so we can't even move house to avoid the situation.

I guess what I'm asking for is some help to try and get this sorted, not just for me but for everyone out there with allergies so we don't have to live through yet another scary spring and summer with bees in such close living quarters. Surely there is something that we can do.... And wouldn't it be better to do this now before something does happen to me or someone else, then what will happen.... With the number of people that I have spoken to and all agreeing with what I am saying I can't believe that the revised bylaw is as beehive owner friendly as it is, that

is ridiculous and gives them all the power. What about any power for people who don't want beehives? This has to be seriously considered as it affects a lot of people.

Please consider this before the bylaw is put in place and enforced.

Yours sincerely

Trudy Hudson-Owen



# Have Your Say – Feedback Form

## October 2017 - Proposed Animals Bylaw

Have you also provided a written submission?      yes ☒      no ☐

### Your details:

First name: Trudy + James  
 Last name: Hudson-Owen  
 Email: trudyandjames @ clear . net . nz  
 Address: 1085 Whareora Road  
 Phone: 09 4376221  
 Mobile: 021 2778070

Are you representing an organisation today?      yes ☐      no ☐

If yes, which Organisation: \_\_\_\_\_

Scribe: Ann Hudson  
 Elected Member(s): Cr Tricia Cutforth

### Your feedback

Trying to get rid of hive next door  
Anaphylactic reaction to bees  
Bees taken  
10 year on property  
Neighbour brought bees in 2016,  
had one  
we complained  
they brought another one - other neighbours have lots  
Bees right outside their house  
comes inside, to avoid bees  
They come inside, onto the floor

He may have moved the hives since a Swarm event - another hive attacked his.

After that reduced numbers. Now can't see the hives. Don't know where they are then winter. Quiet.

Numbers increased now it's warmer coming around again.

Can't open up house

Can't hang out washing - it gets covered in bee poo.

Furniture + windows get covered.

Complained to ENL that they were a nuisance and risk to public safety.

Aggressive response from neighbour

ENL said Difficulty pursuing prosecution under old bylaw. New bylaw is worse.

Bees cause upset for family who have seen a shock reaction to

Wants: ppl in a residential area required to ~~must~~ get consent from neighbour and negotiate a resolution when there is conflict regarding bees.

There is no beekeepers assoc so no way to find out if people are registered bee assoc

Spoken to Northland Beekeepers assoc.  
It has a code of conduct.

Apiculture won't provide information ~~to~~  
about whether or not a member.

Life or death issue - not a matter  
of liking or not liking.

Old bylaw referred to public nuisance  
~~by~~ risk to public safety.

Want to find a solution that  
enables people who have an  
anaphylactic response to have a  
say about bees in their  
neighbourhood.

Also how to have a say about the  
mess they cause and the damage to  
assets.

Safety, nuisance, damage.

Third party assessor?

**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Animals Bylaw Submission - Alan McClelland - 2017-10-12  
**Date:** Thursday, 12 October 2017 11:26:11 AM

[Submitted by Anonymous User]

Do not reply to this email - This mailbox is not monitored. This is a copy of information submitted for your records.

### Please enter your details below:

\* Full Name(s):

Alan McClelland

Postal Address:

1/32 Takahe Street  
Tikipunga  
Whangarei

\* Best Daytime Phone Number:

09 946 4736

(If you do not have a daytime telephone number, please type N/A in the above box).

Mobile Number:

027 430 7019

Email:

alanmcclelland0@gmail.com

\* I am writing this submission:

as an individual

Name of Organisation:

(Please provide an organisation name only if you are making this submission on behalf of that organisation).

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission as well as attending an event.

Please register if you want to talk about your thoughts on the proposal:

\* Attend the formal Hearings - 9am Wednesday 1 November 2017

☐ No

\* Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017

☐ No

The Hearing will be held in Council Chambers, and the Have your Say Event in the Cafler Suite, both at Forum North. More information on the Have Your Say Event can be found on our website (links at top of page) and in the consultation documents available through Council offices.

Please get your registration to us by **5:00pm Sunday 15 October 2017**.

If you are not providing a written submission, you can now scroll to the bottom of the page and click submit.

### Tell us in writing

Your feedback should reach us before **5:00pm on Sunday 15 October 2017**.

If you also want to attend the Hearing or the Have Your Say Event, please fill in the previous section.

Please add your comments below and tell us what decision(s) you want Council to make on these matters.

This box will start to expand as you start typing.

This is regarding many bee hives in a residential area. For more than a year now we have had to put up with a neighbour with very many hives. We have all our washing stained with what the bees drop continually. Our house windows, deck, outside furniture and our car are continually covered in yellow wax. This does not wash off the car even through a commercial car wash. We have had to have the disadvantage of pegging our white washing in a covered porch due to the staining of this every time we peg it out. We consider that such a built up area as we are in is not the place for this many hives. A commercial business is being run out of the property to the detriment of all the close residents. We would like to see this By Law amended to stop this happening. In the past we have had officers from the council come and view the mess, take photos of this and we did realise that the bylaw needed to be changed.

Should this By Law be introduced we would like to see it enforced, not just left.

*Please check that the details you have provided are correct before you submit the form – once you click the [Submit Form] button the form cannot be changed.*

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*Otherwise please print a copy of it for your own records before you close this window.*

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## Submission on Proposed Animals Bylaw of the Whangarei District Council By New Zealand Beekeeping Incorporated

New Zealand Beekeeping Incorporated, is a national organisation representing beekeepers throughout NZ. Our submission is on behalf of members who may operate within the boundaries of the proposed Urban Bylaws.

NZ Beekeeping acknowledge the provision for the keeping of bees in the urban environment not only for the benefit of the beehive owner in providing honey but also for the benefit of the surrounding neighbours who have garden plants and fruit trees that are likely to be pollinated by having bees in the neighbourhood.

### Comments on the Proposal

#### 9. Keeping bees in urban areas

*9.1 No person shall keep more than two beehives on premises in an urban area, subject to the following conditions:*

NZ Beekeeping agree with the restriction in limiting the number of hives in the urban area however we suggest 2 hives and a queen breeding colony would be more appropriate number. The normal people that operate beehives within urban boundaries are hobby beekeepers, including some that have limited experience or knowledge in maintaining beehives. It is generally recommended that a hobby beekeeper should have a minimum of 2 hives in order that he may have a sustainable hobby if he was reliant on only one beehive and it suffered an unforeseen demise. The provision to keep up to 3 beehives on an urban site could provide for those more proficient in beekeeping to be able to maintain surplus colonies that can be provided to those who have less ability to keep bees alive.

There may be cases where some people operate horticultural ventures within urban areas as a result of transition between land that has been rural in nature and use becoming incorporated within urban boundaries. The growing of fruit and berry crops may require bees to pollinate the crops. In this instance provision should be made to provide for pollination beehives for the time required by the grower. We anticipate the exemptions in 9.2 could also apply for pollination services if required

- a. hives must be registered in accordance with the provisions of the Biosecurity (national American Foulbrood Pest Management Plan) Order 1998*
- b. registration codes must be displayed in a visible manner on the apiary or hive*
- c. the owner of the beehives must provide evidence on request of the completion of an American Foul Brood (AFB) course*
- d. hives must be kept a minimum distance of 10 metres from any adjoining property*
- e. a suitable flyway barrier must be installed within a maximum of two metres from the hives.*

#### Clause 9.1 a) and b)

NZ Beekeeping support both these clauses as a legal requirement of the American Foulbrood Pest Management Plan.

#### Clause: 9.1 c) 'beekeepers must undergo a course on AFB.'

Whilst it is desirable beekeepers attend training courses there is no legal requirement for a beekeeper to attend courses nor to pass tests. The legal requirement is for the owner of beehives to ensure his beehives are examined at least once a year by a person competent in diagnosing and finding AFB in beehives.

**Recommendation:** NZ Beekeeping suggest this provision be removed from the By-law as beehive inspections and requirements under the AFB Pest Management Plan are already covered by the registration process in 9.1 a) of this proposal.



**Clause: 9.1 d) 'hives to be kept a minimum of 10 meters from any adjoining boundary.'**

In some cases this may not be possible because of where a residence may be situated. Bees are best suited in a sunny location against a fence or shelterbelt at the rear of the hives. To access the neighbouring property bees must first fly up over the boundary fence and are generally at sufficient height that people on neighbouring properties are not in the direct flight path of bees entering or exiting the hives.

**Clause: 9.1 e) 'a suitable flyway barrier must be installed'** – this relates to the previous bylaw 9.1d.

This is an attempt to regulate the flight path of a beehive. NZ Beekeeping acknowledge the problems that could occur if beehives are sited in a position that utilises the neighbour's property as a flight path. However apart from reliance on the experience of the hive owner not to place hives in such a position to cause nuisance to neighbours we cannot offer a solution that would involve erecting structures to modify the flight path of bees.

**Recommendation:** Clause d) and e) could read;

"That bees must be positioned on a site in such a manner that does not cause a nuisance to neighbours"

*9.2 In an urban area on a site of 4000 square metres or more, Council may issue permits for exemptions from the conditions provided in 9.1.*

NZ Beekeeping suggest this provision also provide for pollination services to be permitted activity for those that continue to grow crops requiring pollination within the urban environment.

*9.3 Any swarms occurring from a beekeeping activities in an urban area must be removed by the owner as soon as possible.*

Within beekeeping circles it is generally recognised that the 'ownership' of bees only occurs when bees are in a beehive 'owned' by an individual. It is accepted that once a bee, or group of bees in a swarm, leaves a hive the bees do not have an 'owner' thus the new owner is the person that 'captures' the swarm. A number of beekeepers actively seek swarms of bees to capture, perhaps a carry-over of days gone by before beekeepers learned to breed bees. To have a bylaw that requires the owner to be responsible for the collection of swarms, even from his own hives, may be taking the bylaws too far in view of the practicalities involved.

*9.4 Any swarms notified to Council that are not removed within 24 hours of notification, will be removed by Council and Council may recover the cost incurred in the removal activity from the owner of the hive from which the swarm occurred*

Whilst NZ Beekeeping appreciates the removal of swarms is a priority, we wonder how the council would establish 'ownership' of the swarm in order to charge the cost of removal.

In a majority of cases in urban areas there are beekeepers who appreciate the opportunity to collect swarms because of the 'value' that those beekeepers place on swarm collection. Conversely there are a number of pest control firms that operate in most towns that will be proficient in dealing with bee swarms. It does appear strange the council wishes to embark on removal of bee swarms within their area. NZ Beekeeping consider it is unnecessary for the council to provide such a bylaw but a practical approach to landowners/ratepayers who contact council would be to offer solutions for the landowner to pursue removal of swarms.

**Recommendation:**

NZ Beekeeping consider any bylaws relating to swarm collection unnecessary. The control of a swarm is the responsibility of the landowner/ratepayer whose property the swarm has been found on.

Thank you for your consideration.

Linda Bray

Secretary

*New Zealand Beekeeping Incorporated*

15th October 2017

**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Animals Bylaw Submission - Susan Mackay - 2017-10-09  
**Date:** Monday, 9 October 2017 7:26:39 PM

[Submitted by Anonymous User]

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### Please enter your details below:

* Full Name(s):	<input type="text" value="Susan Mackay"/>
Postal Address:	<input type="text" value="1783 Lake Road"/> <input type="text" value="R D 5"/> <input type="text" value="Wairoa 4195"/>
* Best Daytime Phone Number:	<input type="text" value="027 562 6615"/>
(If you do not have a daytime telephone number, please type N/A in the above box).	
Mobile Number:	<input type="text" value="027 562 6615"/>
Email:	<input type="text" value="taralmador@gmail.com"/>
* I am writing this submission:	<input type="text" value="on behalf of an organisation"/>
Name of Organisation:	<input type="text" value="New Zealand Cat Fancy Incorporated"/>
(Please provide an organisation name only if you are making this submission on behalf of that organisation).	

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission as well as attending an event.

Please register if you want to talk about your thoughts on the proposal:

- |                                                                       |                                   |
|-----------------------------------------------------------------------|-----------------------------------|
| * Attend the formal Hearings - 9am Wednesday 1 November 2017          | <input type="button" value="No"/> |
| * Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017 | <input type="button" value="No"/> |

The Hearing will be held in Council Chambers, and the Have your Say Event in the Cafler Suite, both at Forum North. More information on the Have Your Say Event can be found on our website (links at top of page) and in the consultation documents available through Council offices.

Please get your registration to us by **5:00pm Sunday 15 October 2017**.

If you are not providing a written submission, you can now scroll to the bottom of the page and click submit.

### Tell us in writing

Your feedback should reach us before **5:00pm on Sunday 15 October 2017**.

If you also want to attend the Hearing or the Have Your Say Event, please fill in the previous section.

Please add your comments below and tell us what decision(s) you want Council to make on these matters.

This box will start to expand as you start typing.

Proposed Animal Bylaw 2017  
 Part 2 – General Requirements  
 Page 4 – “Obligations of animal owners in general;  
 d). ensure that animal may not roam off the property on which it is kept”.  
 We believe that all cats should be exempt from this clause.  
 Cats are nomadic in nature, and often their personal territories may extend beyond property boundaries. Cats are extremely difficult to contain, current methods can be expensive, and may not be reliable.  
 It is not clear if it is the intention of the Council to include cats in this clause or not, but if it is, most cat owners may not realise it, and may not realise what it could mean for them. We feel it

would be more productive to work with cat owners, to educate them on why this must happen, and to assist them to do it.

Keeping cats inside when they are used to outside access may be stressful on the cat and the owners.

We feel clauses a). to c). will cover any problems cats can create to neighbours and the public in general (noise, damage to others properties and risk to human health).

Council could consider introducing a clause giving power to Animal Control Officers to reduce cat numbers at a particular property if the owner causes regular problems with numbers, welfare to the animals or risks to public health.

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**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Animals Bylaw Submission - Deon Ogden - 2017-10-11  
**Date:** Wednesday, 11 October 2017 11:39:20 PM

[Submitted by Anonymous User]

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### Please enter your details below:

* Full Name(s):	<input type="text" value="Deon Ogden"/>
Postal Address:	<input type="text" value="PO Box 3341"/> <input type="text" value="Onerahi"/>
* Best Daytime Phone Number:	<input type="text" value="021436132"/>
(If you do not have a daytime telephone number, please type N/A in the above box).	
Mobile Number:	<input type="text" value="021 436 132"/>
Email:	<input type="text" value="Deon.Ogden@me.com"/>
* I am writing this submission:	<input type="text" value="as an individual"/>
Name of Organisation:	<input type="text"/>
(Please provide an organisation name only if you are making this submission on behalf of that organisation).	

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission as well as attending an event.

Please register if you want to talk about your thoughts on the proposal:

- |                                                                       |                                   |
|-----------------------------------------------------------------------|-----------------------------------|
| * Attend the formal Hearings - 9am Wednesday 1 November 2017          | <input type="button" value="No"/> |
| * Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017 | <input type="button" value="No"/> |

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Please get your registration to us by **5:00pm Sunday 15 October 2017**.

If you are not providing a written submission, you can now scroll to the bottom of the page and click submit.

### Tell us in writing

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Please add your comments below and tell us what decision(s) you want Council to make on these matters.

This box will start to expand as you start typing.

Hi, As a hobbyist Beekeeper I have concerns about some of the details in the proposal. Section 9.1 regarding no more than two behives, it is common for people with only two full size beehives to have what is known as Nucleus Hives for the purpose of raising replacement queens and/or having a Nuc with a back-up queen. A Nucleus Hive ( or Nuc ) is a very small starter hive containing only 1-3 frames of Bees with a couple of frames of food. It is intact recommended that a hobbyist Beekeeper should run 2.5 Hives for sustainability ( 2 full and 1 Nuc ) I currently have two hives, I need to replace my two queens so I assisted my Bees to create 4 queens which are housed temporarily in 4 Nucs. Not all the new Queens will Mate successfully and

the only way to know is to keep them in Nucs and observe their laying pattern over the first 8 weeks of their existence.

I will then pick two of the four, If I am fortunate to have two successfully mated and well performing Queens. If I don't end up with two then I will restart the process.

I would like the Council to consider rewording the definition of a beehive to:

A beehive is a structure that houses a colony of Bees with 10 or more frames.

I would like the council to consider changing Section 9.1 to allow in addition to the 2 beehives on one property it is permissible to keep up to 4 Nucleus Hives temporarily for up to two months and 1 Nucleus hive being able to be permanent.

9.1c Beekeepers need only comply with MPI regulations for keeping bees.

9.1d Sometimes it may be more suitable to have the hive backed onto a boundary fence with the entrance facing inwards, this naturally causes the bees to fly up and over, rather than flying directly toward neighbouring houses.

9.1e Can the wording be changed to say " Where reasonably Practical a flyway barrier must be installed"

My Situation is that the hives I have is on My roof where it is not practical to install a flyway barrier but also being on the roof they cause no problems.

9.4 It would not be possible in many cases to identify the Beekeeper or property from which the swarm came from, also most beekeepers would be happy to recover a swarm unless they are already at their maximum allowable Hive numbers.

I believe a number of councils are also implementing similar controls, I would like to recommend that the councils review each others proposals and bylaws and try to produce a uniform Bylaw that is largely unchanged across the country.

Thank you,  
Deon Ogden  
29 Grahamtown Road,  
Onerahi, Whangarei

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**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Animals Bylaw Submission - tristan reid - 2017-10-15  
**Date:** Sunday, 15 October 2017 5:00:34 PM

[Submitted by Anonymous User]

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### Please enter your details below:

\* Full Name(s):

tristan reid

Postal Address:

16 doctors hill rd maungaturoto

\* Best Daytime Phone Number:

na

(If you do not have a daytime telephone number, please type N/A in the above box).

Mobile Number:

021 311647

Email:

tweake@vodafone.co.nz

\* I am writing this submission:

as an individual

Name of Organisation:

(Please provide an organisation name only if you are making this submission on behalf of that organisation).

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission as well as attending an event.

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\* Attend the formal Hearings - 9am Wednesday 1 November 2017

No

\* Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017

No

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### Tell us in writing

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If you also want to attend the Hearing or the Have Your Say Event, please fill in the previous section.

Please add your comments below and tell us what decision(s) you want Council to make on these matters.

This box will start to expand as you start typing.

i am a commercial beekeeper that has worked around the whangerai area for the last 16 years.

my primary concern is enforcment of laws and if its worth changing any beekeeping rules.  
 currently there is a large number of urban beekeepers who disregard all beekeeping rules and a large portion of them are doing so for profit.  
 whangerai beeclub has public said they have had problems with unregistered beekeepers illegally extracting and selling honey.  
 i'm told that beekeepers would disappear from the market when food safety inspector does an inspection.  
 a local beekeeper tells me hes had issues with the amount of abandoned bee hives on properties.



its obvious that beekeeping rules are currently not enforced, which begs the question why bother adding more rules which will not be enforced.  
 more rules will simply make more people do it illegally and ignore all rules and force them underground.  
 there is already a substantial network of illegal anti-establishment beekeepers. making more rules to increase their numbers just adds to the existing problems.

any rule changes require decent enforcement which has its own costs.

the proposed rule of 9.1 "d. hives must be kept a minimum distance of 10 metres from any adjoining property" is not workable.  
 this would simply mean no bee hives in urban areas as you would very rarely ever find a suitable hive location that is more than 10m away from a boundary.  
 often a boundary fence makes the best spot as the fence pushes bees up and keeps people out of the flight path.

9.3 and 9.4 are impractical. its impossible to tell whose hive the swarm came from. its not uncommon for swarms to come from km's away to another apiary. that has been well documented.  
 swarms can fly right across the urban area. its not all that far. also the swarm may not have an owner. its perfectly natural for a wild hive to get established and then swarm multiple times.  
 registered hive owners will get blamed for a problem they have nothing to do with. impractical laws will simply increase the amount of illegal beekeeping in the area.

---

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**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Animals Bylaw Submission - James Humphrey Rentoul - 2017-10-07  
**Date:** Saturday, 7 October 2017 12:38:28 PM

[Submitted by Anonymous User]

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### Please enter your details below:

\* Full Name(s):

James Humphrey Rentoul

Postal Address:

3H Dundas Road  
Riverside  
Whangarei  
0112

\* Best Daytime Phone Number:

09 4302667

(If you do not have a daytime telephone number, please type N/A in the above box).

Mobile Number:

0274364233

Email:

jim.rentoul@xtra.co.nz

\* I am writing this submission:

as an individual

Name of Organisation:

(Please provide an organisation name only if you are making this submission on behalf of that organisation).

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission as well as attending an event.

Please register if you want to talk about your thoughts on the proposal:

\* Attend the formal Hearings - 9am Wednesday 1 November 2017

☐ No

\* Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017

☐ No

The Hearing will be held in Council Chambers, and the Have your Say Event in the Cafler Suite, both at Forum North. More information on the Have Your Say Event can be found on our website (links at top of page) and in the consultation documents available through Council offices.

Please get your registration to us by **5:00pm Sunday 15 October 2017**.

If you are not providing a written submission, you can now scroll to the bottom of the page and click submit.

### Tell us in writing

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If you also want to attend the Hearing or the Have Your Say Event, please fill in the previous section.

Please add your comments below and tell us what decision(s) you want Council to make on these matters.

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Chris and I believe that the 10mtrs separation distance is not realistic for the modern Urban residential property. The beehive would end up inside the house in most modern properties! 3 meters would be a realistic distance from boundaries, plus the fly way barrier installed at the boundary. It is vitally important to have bees to maintain plant life in the urban areas. We believe absolutely that hives are registered (it is law) and that bee-keepers do at least belong to a bee keeper club or have had recognised training in the management of bees and the veroa mite problem. Simple things like alternating the anti veroa dose make up to prevent the mite building immunity is very important. Bees are dying in numbers world wide, please don't legislate to prevent sustainability. Research shows that the survival rate of bees in urban areas is far better than rural, re the nectar availability in the rural areas is diminishing. Using the urban area for bee

sustainability is vitally important.

Regards  
Jim and Chris Rentoul

---

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**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Animals Bylaw Submission - Suzanne Scourfield - 2017-10-10  
**Date:** Tuesday, 10 October 2017 11:54:35 AM

[Submitted by Anonymous User]

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### Please enter your details below:

\* Full Name(s):

Suzanne Scourfield

Postal Address:

36 McAuslin Road, RD3 Matapouri 0173

\* Best Daytime Phone Number:

0211302622

(If you do not have a daytime telephone number, please type N/A in the above box).

Mobile Number:

0211302622

Email:

suzanne.scourfield@wghs.school.nz

\* I am writing this submission:

as an individual

Name of Organisation:

(Please provide an organisation name only if you are making this submission on behalf of that organisation).

### Tell us in person

You don't have to write a submission to provide us with your feedback. There are two options if you want to present your views in person instead. You can of course do both, and provide a written submission as well as attending an event.

Please register if you want to talk about your thoughts on the proposal:

\* Attend the formal Hearings - 9am Wednesday 1 November 2017

No

\* Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017

No

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Proposed Animal Bylaws 2017

(with particular reference to keeping Bees in Urban areas)

9.1 - I think 2 beehives is reasonable. However perhaps provision could be made for spring season when splitting of hives can occur (this prevents swarming). Usually a beekeeper would sell or give the bees to another beekeeper. In this case perhaps 4 bee hives could be allowed for a short period of time?

9.1a - completely agree

9.1b - completely agree

9.1c - this is rather moot as they need to comply to 9.1a and so could use another beekeeper as

inspector - do not necessarily need to be an inspector themselves.

9.1d - this does not make sense - as this would increase the chance of neighbour/passersby being stung. Best position for a hive is next to a solid fence so the bees fly up immediately they exit the hive and so will straight away be above head height to prevent flying into people

9.1e - suitable flyway barrier needs to be clarified - a solid fence would be ideal (or fine mesh netting) - perhaps incorporate 9.1d and 9.1e to make more sense to beekeepers.

9.2 - reasonable

9.3 - this is an issue as how can you identify where the bees swarmed from? Very hard to actually know where swarm originated from

9.4 - as above plus local Bee clubs will remove for free usually so no real cost to council

Thank you for reading my submission. Feel free to contact me if you would like any further information.

Nga mihi,  
Suzie Scourfield

---

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**From:** cms@wdc.govt.nz  
**To:** [Mail Room](#)  
**Subject:** Proposed Animals Bylaw Submission - Peter Smith - 2017-10-09  
**Date:** Monday, 9 October 2017 12:11:41 AM

[Submitted by Anonymous User]

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### Please enter your details below:

\* Full Name(s):

Peter Smith

Postal Address:

\* Best Daytime Phone Number:

N/A

(If you do not have a daytime telephone number, please type N/A in the above box).

Mobile Number:

Email:

\* I am writing this submission:

as an individual

Name of Organisation:

(Please provide an organisation name only if you are making this submission on behalf of that organisation).

### Tell us in person

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Please register if you want to talk about your thoughts on the proposal:

\* Attend the formal Hearings - 9am Wednesday 1 November 2017

☐ No

\* Attend our Have your Say Event - 4pm to 6pm Tuesday 17 October 2017

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If you also want to attend the Hearing or the Have Your Say Event, please fill in the previous section.

Please add your comments below and tell us what decision(s) you want Council to make on these matters.

This box will start to expand as you start typing.

Good Evening,

I am writing to voice my opposition to certain parts of the proposed "Animals Bylaw" specifically those relevant to beekeeping.

I maintain two urban apiaries of 5 hives each.

From the proposal:

- The urban hive number restriction is exceedingly constrictive with many urban sites I have visited having between 2-4 hives.

- Location - 10m from the boundary means most urban hobbyists must operate in the center of their sections which is often not a viable option. Given Bee behaviour nuisance flight paths can be



prevented through correct management and the subsequent flyway barrier clause. This could also be included in nuisance animal management instead of stipulated restricting beekeepers.

- Swarm management - You cannot definitively prove the origin of bees so relevant clauses are irrelevant. Swarm collection is already mostly managed by members of local beekeeping clubs.

The other points are feasible however these are already regulated through central government via afb NZ and the apiweb database. Any WDC resources spent keeping such records, doing visits/inspections/policing is being done in a redundant fashion and is really a waste of time/money.

WDC would have to have qualified staff or subcontract trained personnel to do site appraisals - another expense/resource drain.

This is coming as Beekeeping has exploded in popularity and urban hive numbers are growing quickly. In fairness though, much of the proposal could be achieved through regional recommendations with a district resource available with best practice information and current obligations list.

I feel the new proposal is too large of a step further regulating an already self regulated industry with an already established self funded governing body.

Thank you for your time  
Peter Smith

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Good Afternoon,

The New Zealand Companion Animal Council would like to take the opportunity to make a submission in relation to the current review of the Keeping of Animals, Poultry and Bees Bylaw 2007.

In summary, the NZCAC proposes that the bylaw include the following:

- (1) All domestic cats must be microchipped and registered with the New Zealand Companion Animal Register, or other Council approved microchip register.***
- (2) All domestic cats must be desexed by a veterinarian by 10 weeks of age or once they reach 1kg in weight.***
- (3) A cat is exempt from desexing clause (2) if any of the following apply:***
  - (a) The owner provides a certificate from a veterinarian stating that the desexing of that cat will adversely affect its health and welfare;***
  - (b) The cat is owned, for the purpose of breeding, by a cat breeder registered with The New Zealand Cat Fancy or Catz Incorporated.***

The NZCAC would be happy to speak in person at the hearing to support the proposed changes.

Please see attached a copy of the full submission document which provides in depth justification and scientific support for the proposed amendments.

Dear Whangarei District Council

Please accept this submission on behalf of the New Zealand Companion Animal Council (<http://nzcac.org.nz/>).

The New Zealand Companion Animal Council believes that additional clauses relating to responsible cat ownership, specifically, identification and desexing of companion cats should be added to the bylaw.

## **1. Proposal**

The Keeping of Animals, Poultry and Bees Bylaw 2007 should be amended to include:

- (4) All domestic cats must be microchipped and registered with the New Zealand Companion Animal Register, or other Council approved microchip register.***
- (5) All domestic cats must be desexed by a veterinarian by 10 weeks of age or once they reach 1kg in weight.***
- (6) A cat is exempt from desexing clause (2) if any of the following apply:***
  - (a) The owner provides a certificate from a veterinarian stating that the desexing of that cat will adversely affect its health and welfare;***
  - (b) The cat is owned, for the purpose of breeding, by a cat breeder registered with The New Zealand Cat Fancy or Catz Incorporated.***

## **2. Justification - Microchipping**

### **a) Importance of Microchipping:**

An important aspect of being a responsible animal owner means ensuring your pet is identifiable. The New Zealand Companion Animal Council believes that all pets should be able to be identified as owned. Such identification gives the animal a greater degree of protection and a much higher chance of being returned to their home when lost. Research has indicated that return-to-owner rates for cats that are microchipped is 20 times higher than for cats that are not microchipped.<sup>1</sup>

During the 2011 Christchurch earthquake 85% of owners of microchipped pets were able to be contacted within 3 hours, whilst only 25% of non-chipped pets were reunited with their owners within a 7 day period.<sup>2</sup> Unlike other methods of identification, microchipping is the only permanent and unalterable form of identification currently available for cats.

In New Zealand cats are the most popular companion animal. In our most recent report “*Companion Animals in New Zealand 2016*”, we documented that 44% of New Zealand households have at least one companion cat – this equates to 1.1million cats. From 2011-2015 the proportion of cats microchipped has more than doubled from 12%-31%. However, this is still substantially lower than dogs at 71%. Compulsory microchipping will help increase the number of companion cats that are microchipped.

Recently the Wellington City Council amended their Bylaw to include microchipping and registration on the New Zealand Companion Animal Register, or other Council approved microchip register.

**b) Benefits of Microchipping to the Owner:**

- Microchipping allows the owner of a lost cat to be contacted so that the cat and owner can be reunited.
- Owners of cats that are injured can be promptly identified and are able to make decisions about the cats’ treatment.
- Cats that are straying or causing nuisance can be identified and owners can be contacted and educated about their responsibility.

**c) Benefits of microchipping to Council Animal Control Departments and other Animal Welfare Organisations:**

- Quicker repatriation by using the New Zealand Companion Animal Register (NZCAR) means less costs for managing and feeding found animals.
- Less administration and time spent on trying to locate owners using social media and advertising.
- Less demand on shelters for larger premises and less cost to Councils trying to fund such systems.
- Profits from the register help animal charities and projects in New Zealand; Over \$2.8 million has been raised by the NZCAR since the launch in 2007.

**d) Why the New Zealand Companion Animal Register is the Best Choice for a Microchip Register:**

---

<sup>1</sup> Lord LK.; Ingwersen W.; Gray JL.; Wintz DJ. Characterization of animals with microchips entering animal shelters. *Journal of the American Veterinary Medical Association*. **2009**, 235 (2), 160-167.

<sup>2</sup> New Zealand Companion Animal Register (2016, 16<sup>th</sup> May). Benefits of the NZCAR. Retrieved from <http://www.animalregister.co.nz/owner-information/benefits-of-the-nzcar.html>

The New Zealand Companion Animal Register (NZCAR: <http://www.animalregister.co.nz/>) is New Zealand's leading register for microchipped companion animals. NZCAR currently has over 470,000 animals registered, including over 260,000 cats.

The New Zealand Companion Animal Council has spent considerable time and resources coordinating the creation of the NZCAR which has become New Zealand's leading register for microchipped animals. The reason the NZCAR is so effective at getting lost pets home is that responsible pet owners have taken the time to microchip and register their pets on a single register that has support from the leading companion animal welfare organisations.

Six organisations financed the creation of the NZCAR and today each of these organisations provide a trustee to oversee both the continued development of the register and the dedicated trust set up to manage the funds generated.

The six stakeholder organisations are:

1. New Zealand Veterinary Association
2. RNZSPCA
3. NZVA Companion Animal Society
4. New Zealand Kennel Club
5. New Zealand Cat Fancy
6. New Zealand Companion Animal Council

The NZCAR stakeholders have worked very hard to learn lessons from overseas microchip registers and to form relationships within New Zealand that enhance and expand the effectiveness of the NZCAR.

Within New Zealand we believe the NZCAR is the best choice for a repatriation register as it is New Zealand's largest dedicated repatriation database for companion animals.

The NZCAR is used by over 822 organisations, including 542 Vet Clinics, 52 SPCA branches and programmes, 64 Territorial Authorities, well as many other implanters, shelters and other organisations within New Zealand:

- No other register, including the National Dog Database, has the number of outlets where a microchip can be quickly scanned and contact information accessed to speed repatriation
- No other New Zealand register offers 24/7 online access, along with 365 days a year 0800 phone support.
- No other register offers the Scanner Angel network for free to New Zealand pet owners.
- No other New Zealand register is owned by the leading animal welfare agencies and uses the profits to help fund animal charities and projects within New Zealand.
- No other New Zealand register has given away over \$100,000 of microchip scanners around New Zealand to help make microchip readers even more accessible for getting lost and found pets scanned.
- The NZCAR is also actively involved in looking at future technologies that can help get more pets home and spends considerable time working with a number of overseas companies who are leading product developers in their field.

NZCAR is a not for profit venture and is raising funds to help even more companion animals. Over 60% of all income generated by the NZCAR is passed to the New Zealand Companion Animal Council (NZCAC) and to the New Zealand Companion Animal Trust (NZCAT) to help fund their activities and to assist animal charities and projects in New Zealand. The NZCAC has spent over half a million dollars helping fund desexing and microchipping initiatives around the country. It has also helped fund new technologies that benefit lost pets too.

The trust currently has over \$1 million invested, and this continues to be added to through transfers from the NZCAC and the return on investments. The goal is to build a self-sustaining fund that can fund

a wide range of companion animal projects and charities throughout New Zealand. To date the trust has already funded over \$250,000 worth of projects with a significant percentage of this fund supporting the SPCA.

### 3. Justification – Desexing

#### a) Importance of Desexing:

The New Zealand Companion Animal Council supports the desexing of all domestic cats and believes it is a vital part of being a responsible owner.

The overpopulation of cats is a well-known and recognised issue not only in New Zealand but throughout the world. According to the lasted Companion Animal Report produced by the New Zealand Companion Animal Council there are currently an estimated 1.134 million companion cats in New Zealand, making them the most popular companion animal in New Zealand.<sup>3</sup>

Domestic cats can reach reproductive maturity as early as 3.5 months of age.<sup>4</sup> Research conducted in Australia has shown that only 70% of cats are desexed prior to the age of 6 months, allowing opportunity for sexually mature cats to produce litters before they are desexed.<sup>5</sup>

The exact numbers of stray unowned cats in New Zealand is not definitively known, however one study has estimated it to be around 196,000.<sup>6</sup> With most companion cats in New Zealand being free roaming<sup>7</sup> the likelihood of interaction between owned and stray cats is extremely high. Consequently, there is huge potential for un-desexed owned cats to mate with stray cats and produce unwanted litters which contributes towards the overall overpopulation issue in New Zealand.

Each year thousands of cats and kittens are taken to animal shelters, many of which are either unsuitable for adoption or are unable to find homes and are subsequently euthanised. There is a lack of national statistics relating to cat numbers in animal shelters, however, over the past three years 25,000 cats and kittens have arrived at the Auckland SPCA alone.<sup>8</sup>

This is representative of the issue New Zealand wide and should be addressed through implementing mandatory desexing of owned cats to prevent unwanted litters and breeding with the stray cat population.

#### b) Benefits of Desexing:

---

<sup>3</sup> Walker, JK.; Bruce, SJ.; Dale, AR. A survey of public opinion on cat (*Felis catus*) predation and the future direction of cat management in New Zealand. *Animals*. **2017**, 7, 49.

<sup>4</sup> Farnworth, MJ.; Adams, NJ.; Seksel, K.; Waran, NK.; Beausoleil, NJ.; Stafford, KJ. Veterinary attitudes towards pre-pubertal gonadectomy of cats: a comparison of samples from New Zealand, Australia and the United Kingdom. *New Zealand Veterinary Journal*. **2013**, 61(4), 226-233

<sup>5</sup> Toukhsati, S.; Coleman, GJ.; Bennett, PC. Community attitudes and behaviours towards cats. A report to the Bureau of Animal Welfare DPI, Victoria, Melbourne, Australia. Melbourne, Animal Welfare Science Centre, Monash University. 2005.

<sup>6</sup> Farnworth, MJ.; Muellner, P.; Benschop, J. A systematic review of the impacts of feral, stray and companion domestic cats (*Felis catus*) on wildlife in New Zealand and options for their management. Wellington, New Zealand Veterinary Association. 2013.

<sup>7</sup> Farnworth MJ.; Campbell J.; Adams NJ. Public awareness in New Zealand of animal welfare legislation relating to cats. *New Zealand Veterinary Journal*. **2010**, 58, 213-217.

<sup>8</sup> Auckland SPCA (2017, 28 Feb). Free cat desexing drive for targeted areas. *News and updates*. Retrieved from <https://www.spcaauckland.org.nz/about-us/news-and-updates/free-cat-desexing-drive-for-targeted-areas/>

Desexing has been shown to have numerous health and behavioural benefits for the individual cat, as well as positively influencing urban animal control and overpopulation problems.

**Population control and community/owner benefits associated with desexing include (but are not limited to):**

- Reduction in unwanted litters and cats/kittens euthanised at shelters<sup>9</sup>
- Reduction in nuisance behaviour e.g. wandering, mating noise, spraying, predation of wildlife<sup>9</sup>
- Improved behaviour - reduced hyperactivity, more affectionate, less anti-social<sup>10</sup>

**Benefits associated with desexing for female cats include (but are not limited to):**

- Disease prevention – reduced risk of mammary cancer, Pyometra (potentially fatal uterine infection), uterine and ovarian tumours.<sup>9</sup>
- Increased life-span<sup>9</sup>

**Benefits associated with desexing for male cats include (but are not limited to):**

- Disease prevention - reduced risk of testicular tumours, prostate cancer and disorders.<sup>9</sup>
- Reduction in wandering and fighting behaviour – prevents associated injuries e.g. abscesses.<sup>9</sup>
- Increased life-span<sup>9</sup>

### **c) When Should Desexing Occur:**

Research suggests there is no significant behavioural and physical advantages of desexing at the traditional age of 6 months.<sup>11</sup> The New Zealand Veterinary Association supports pre-pubertal desexing of cats from 8 weeks of age, and cites benefits of early age desexing including improved population control, faster surgical procedure with less trauma and stress for the individual cat, and reduced recovery times.<sup>12</sup>

It can therefore be assumed that waiting until the widely practiced age of desexing (6 months) is likely to result in the production of unwanted litters.<sup>13</sup> This issue could be mitigated by amending the Keeping of Animals, Poultry and Bees Bylaw 2007 to include compulsory desexing at 8 weeks of age (or earlier) or when the cat reaches 1kg in weight.

The New Zealand Companion Animal Council believes that having your cat desexed, microchipped, and registered on the NZCAR is a key part of responsible pet ownership.

<sup>9</sup> National Desexing Network (2009). Benefits of desexing. Retrieved from <https://www.ndn.org.au/benefits-of-desexing.html>

<sup>10</sup> Canterbury SPCA (2017). Desexing your pet. Retrieved from <http://www.spcacanterbury.org.nz/animal-care/animal-welfare/desexing-your-pet/>

<sup>11</sup> Joyce, A.; Yates, D. Help stop teenage pregnancy! Early-age neutering in cats. *Journal of Feline Medicine and Surgery*. **2011**, *13*(1), 3-10.

<sup>12</sup> The New Zealand Veterinary Association. Pre-perbortal desexing of dogs and cats. 2015. Retrieved from <http://www.nzva.org.nz/?page=policydesexing>

<sup>13</sup> Alberthsen, C.; Rand, J.; Bennet, P.; Paterson, M.; Lawrie, M.; Morton, J. Cat admissions to RSPCA shelters in Queensland, Australia: description of cats and risk factors for euthanasia after entry. *Australian Veterinary Journal*. **2013**, *91*(1-2), 35-42.

The NZCAC kindly asks that you consider this submission in relation to any future amendments of the current bylaw.

Many thanks,

Jessica

**Dr Jessica Walker** Manager

**The New Zealand Companion Animal Council Inc.**

**Mobile:** +64 21 555285 **Email:** [manager@nzcac.org.nz](mailto:manager@nzcac.org.nz)



the new zealand  
companion animal  
council inc.

PO Box 4, Waiuku, Auckland, 2341, New Zealand

Visit our [website](#)

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**\*\* Please Note** I currently work on a part-time basis (Mondays and Tuesdays only). If you have contacted me outside these days and your message is urgent please contact the Chair of The New Zealand Companion Animal Council: [chair@nzcac.org.nz](mailto:chair@nzcac.org.nz)



**From:** Paul Martin  
**To:** [Mail Room](#); [David & Mayuko Pullen](#)  
**Subject:** Submission on WHANGAREI DISTRICT COUNCIL KEEPING OF ANIMALS POLICY  
**Date:** Friday, 13 October 2017 3:05:46 PM  
**Attachments:** [image001.png](#)  
[ApiNZSubmissiontoWhangareiDistrictCouncilKeepingofAnimalsPolicyOctober20....pdf](#)

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Whangarei Bee Club  
 c/o 665 Ngunguru Rd,  
 RD3, Whangarei 0173

13 October 2017

## **WHANGAREI DISTRICT COUNCIL KEEPING OF ANIMALS POLICY**

### **Submission from the Whangarei Bee Club**

The Whangarei Bee Club fully supports the submission of Apiculture New Zealand on the proposed Keeping of Animals Policy as it relates to beekeeping. A copy of the ApiNZ submission is attached to this email.

The Whangarei Bee Club is one of the largest bee clubs in New Zealand, and is a member club of Apiculture New Zealand. The Whangarei Bee Club has a large number of members from the wider Whangarei district. Members include hobbyist, semi commercial and some commercial beekeepers, with many keeping bees within the Whangarei District Council urban zone.

The Whangarei Bee Club welcomes the introduction of these bylaws, noting that Beekeeping in urban areas is becoming increasingly popular, driving the need for up-to-date and fit-for-purpose rules and regulations. It is vital that any new regulations are fit-for-purpose, and the Whangarei Bee Club would welcome further discussion with the Whangarei District Council on developing a viable and fit-for-purpose policy around Beekeeping in urban areas.

Yours sincerely,

Dr Paul Martin

President Whangarei Bee Club

Staff note:

Apiculture New Zealand attachment omitted as already included in set of submissions.

Submissions re: Proposed Animals Bylaw

Whangaruru South Residents & Ratepayers Assoc. Inc

## Keeping Bees in an urban area

-

Page 11

Clause 9.1c *All beekeepers in New Zealand are required to comply with the National AFB Pest Management Plan which have clear guidelines and requirements regarding American Foul Brood courses and DECA Certification. This clause is a duplication, and confusing, and should read as follows.*

**Replace with:** **the owner of the beehives must provide evidence, on request, of compliance with their responsibilities under the AFB Pest Management Plan.**

Clause 9.1d *This clause should be **deleted** altogether as we are talking about residential properties in urban living areas. The large percentage of which would not be 20 metres wide and if they were, it would make sense that the home and not the beehive was placed in a central position on the property. There is more probability of 'neighbour disruption' by putting them in the centre of a section, as the bees would not have to 'rise up' to fly.*

Clause 9.1e *This clause should be **deleted** as fences and hedges are natural flyway barriers and already provide protection.*

*Clauses 9.1d and 9.1e should be replaced with the following:*

- Clause 9.1d**      **where hives are situated close to property boundaries, flyway barriers in the form of fences, hedges or independent barriers should be at heights of not less than 1.8 metres and no closer than 10 metres from any neighbouring home.**
- Clause 9.2**      *This clause should be **deleted** altogether as it pertains to exemptions from the conditions of Clause 9.1a, b, c and d. None of which should be exempt, therefore there is no need for this clause.*
- Clause 9.3**      *This clause should be **deleted** altogether, as, unless you are standing beside your hive at the time of swarming, you would probably not know that it had swarmed. Any beekeeper that does see a swarm would immediately recover it or find someone who could.*
- Clause 9.4**      *This clause should be **deleted** altogether for the same reasons. This would be an unworkable clause for Council to adopt, as it would be impossible to find the owner of the hive the swarm came from. There are a good number of beekeepers in the Whangarei District area willing to make themselves available to Council or Communities to deal with the natural phenomena of honey bee swarms.*

## **Additional Clauses            -**

*We would like to see these clauses added to the new Bylaws for the purpose of protecting the public from nuisance, and for protecting, promoting and maintaining public health and safety. These added clauses will assist urban living areas to mitigate issues, which have risen inordinately, as the growth of 'manuka honey value' is exploited in the District.*

**New Clause 9.2                      All hive owners and beekeepers are to comply with the Apiculture New Zealand Inc. Code of Conduct.**

**New Clause 9.3                      Commercial Beekeepers (25+hives) are restricted in placing hives within 3 kilometres of Urban Living areas, with the exception of those Beekeepers in the business of orchard pollination, for short to medium term periods.**



### RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

1.	The making available of information would be likely to unreasonably prejudice the commercial position of persons who are the subject of the
2.	To enable the council (the committee) to carry on without prejudice or disadvantage commercial negotiations. {(Section 7(2)(i))}.
3.	To protect the privacy of natural persons. {Section 7(2)(a)}.
4.	Publicity prior to successful prosecution of the individuals named would be contrary to the laws of natural justice and may constitute contempt of court.
5.	To protect information which is the subject to an obligation of confidence, the publication of such information would be likely to prejudice the supply of information from the same source and <b>it is</b> in the public interest that such information should continue to be supplied.
6.	In order to maintain legal professional privilege. {Section 2(g)}.
7.	To enable the council to carry on without prejudice or disadvantage, negotiations {Section 7(2)(i)}.

### Resolution to allow members of the public to remain

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

#### Move/Second

permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of \_\_\_\_\_

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because \_\_\_\_\_

*Note:*

*Every resolution to exclude the public shall be put at a time when the meeting is open to the public.*