

First adopted:	1 June 2016
Next review date:	1 June 2021
Document number:	A1670644
Sponsor/Group:	Group Manager: Policy & Operations



GREAT LAKE TAUPŌ
Taupō District Council

TAUPŌ DISTRICT COUNCIL ANIMALS, BIRDS AND BEES BYLAW 2016

Purpose and Scope

1. The purpose of this Bylaw is to set the requirements for keeping **animals, birds** and bees within Taupō District to ensure the health and safety of any persons, **animals, birds** and bees, and to protect of the public from nuisance.
2. The Bylaw is made under the authority of section 146 of the *Local Government Act 2002*, and section 64 of the *Health Act 1956*. In addition, **animals, birds** and bees are also regulated and controlled by other Acts, regulations, rules, bylaws, and the Taupō District Plan, which should be referred to in conjunction with this Bylaw.

Commencement

3. The Bylaw comes into force throughout the district on 1 June 2016

Revocations

4. Part 5 – The Keeping of Animals, Poultry and Bees of Taupō District Council General Bylaw No 1: 2008 is revoked at the time of the Taupō District Council Animals, Birds and Bees Bylaw 2016 coming into force.

Definitions

5. Any words, phrases or expressions used in this Bylaw which have meanings assigned to them by the *Local Government Act 2002*, and the *Health Act 1956* will have the meanings as are respectively assigned in those Acts and corresponding supplementary legislation, unless inconsistent with the context in which such words occur.
6. In this Bylaw, if not inconsistent with the context:

Animal	Any domestic animal dependent on humans for their care and sustenance, and includes, but is not limited to, stock such as cattle, deer, llamas, alpacas, donkeys, mules, horses, sheep, goats, pigs. Dogs and cats are excluded.
Birds	Any bird which is a type that is a warm-blooded egg-laying vertebrate animal distinguished by the possession of feathers, wings, a beak, and typically by being able to fly, and includes, but is not limited to, chickens, ducks, geese, peacocks, peahens, pheasants, swans, pigeons, doves, parrots, parakeets, budgies etc.
Chief Executive	The chief executive of Council and any person delegated to perform any duties of the chief executive
Council	Taupō District Council
Residential	The same meaning as land within the residential environment, and includes the towncentre environments and Taupō towncentre environment, of the <i>Taupō District Plan</i> or legislation enacted in substitution

Keeping Animals, Birds, and Bees

7. **Council** may by resolution regulate, licence or prohibit the keeping of **animals, birds** and bees, by any persons in a **residential** area that may cause a nuisance or is a concern to public health.
8. A person must not keep **animals, birds** and/or bees within **residential** areas unless in well constructed and adequately maintained facilities to ensure the health and safety of any persons, the **animals, the birds** and the bees.

9. A person must not keep **animals, birds** and/or bees within **residential** areas where they cause a nuisance to the public.
10. A person must not keep pigs within **residential** areas.
11. A person must not keep roosters within **residential** areas.
12. A person must not keep any **animals** or **birds** within **residential** areas that may cause a noise or odour nuisance.

Exemptions

13. A person is not in breach of this Bylaw if that person:
 - a. proves the act was taken to avoid death or injury of a person; or
 - b. was taken at the direction of an enforcement officer.
14. Any person may apply in writing to the **Chief Executive** for written permission for any activity that would be in breach of any prohibition under this Bylaw.
15. Fees may be prescribed for processing these permissions. This fee may be refunded, remitted, or waived at the **Chief Executive's** discretion.

Offences/Penalties/Powers

16. A person commits an offence under this Bylaw if they keep **animals, birds** and bees contrary to the regulations, licencing or prohibitions of this Bylaw.
17. A person is in breach of this Bylaw who fails to comply with this Bylaw and commits an offence under section 239 of the *Local Government Act 2002*, and is liable on conviction to the penalties set out in section 242(4) of the *Local Government Act 2002*, for which a person is liable on conviction to a fine not exceeding \$20,000. These fines are current at the time of adoption of this bylaw.
18. Any person that commits a breach of a provision of this Bylaw made under section 64 of the *Health Act 1956* commits an offence and is liable to a fine under section 66 of the *Health Act 1956* as follows:
 - a. Not exceeding the amount fixed for any breach for which an infringement notice is issued;
 - b. Not exceeding \$500.00 and if the breach is a continuing one, not exceeding a further \$50.00 per day thereafter.
 These fines are current at the time of adoption of this bylaw.
19. **Council** may, after the conviction of any person for a continuing offence against this Bylaw, apply to the court for an injunction to restrain the further continuance of the offence.
20. **Council** may remove, or cause to be removed any **animals, birds** and bees, in breach of this Bylaw.

Public Availability

21. This Bylaw, and any supporting documentation, is available for public inspection.

THIS BYLAW WAS MADE BY RESOLUTION TDC201604/07 OF COUNCIL AT AN ORDINARY MEETING OF THE TAUPŌ DISTRICT COUNCIL HELD ON 26 APRIL 2016

The Common Seal of Taupo District Council was hereto affixed in the presence of:

Mayor

Chief Executive

