



**BULLER**  
DISTRICT COUNCIL  
Te Kaunihera O Kawatiri

Issue #1  July 2023

# Frequently asked Questions

## Proposed Keeping of Animals Bylaw 2022 Review

### FAQ

Get started to find out more about what is happening by reading our frequently asked questions (FAQ).

#### What has happened to date?

Council resolved that a bylaw was the correct way to address the issues around keeping animals in the district and that the existing bylaw (and amendment) should be changed and updated following a public consultation. The Proposed Bylaw 2022 does not apply to dogs as this is covered separately under the Dog Control Bylaw.

The Council took the opportunity to revisit the previous approach adopted in 2008 by proposing a significant number of changes to better address the perceived problems that arise in relation to animals in the district.

The draft bylaw was presented to the Regulatory and Hearing Committee on the 9 March 2022, where several changes were suggested, and it was approved on that basis to progress to legal review. The legal review was undertaken, and Council's legal advisors suggested a number of changes, related to formatting and the tightening up of wording and phrases.

The draft bylaw incorporating these changes, along with a set of maps outlining 'Urban Areas' in Buller, was approved to go out for public consultation, as required under the LGA 2002 in June 2022.

#### Consultation 1.0

Between 13 September and 11 October 2022 Council consulted on the Proposed Keeping of Animals Bylaw 2022. Public Notices were placed in local papers and Council's website had a full page dedicated to the proposed bylaw with copies of all the relevant documents, including a submission form and link to an online submission form. There were regular reminders on Council's Facebook page and copies of all document were placed in libraries, the Reefton Visitor and Service Centre and other locations around the district.

#### Submissions

In total, 63 submissions were received from residents and national organisations (five submissions did not have any attached explanation).

The issues that were raised covered many aspects of the proposed bylaw like:

- Urban Area Boundaries
- Keeping of cats in an urban area
- Keeping of poultry in an urban area and poultry houses and poultry runs
- Beekeeping and keeping bees in an urban area
- Keeping of livestock in an urban area
- Pig keeping
- Slaughter of livestock (Section 13, p. 7)
- Commercial vs. Domestic animal keeping
- Existing use rights
- Clarification and further definition
- Bylaw itself.

#### Hearings and deliberations

On the 14 December 2022, the Regulatory and Hearings Committee met to hear from those submitters who had notified Council that they wished to speak in support of their submissions. In total nine submitters outlined their reasons for making their submissions.

#### What has been proposed now?

After considering submissions and holding the hearing Council suggested some changes to the following sections of the proposed bylaw. The changes proposed are:

##### Re-definition of urban areas:

- Only Westport, Carters Beach and Reefton are now proposed to be considered as urban areas

##### Keeping of cats in urban areas:

- reducing the number to 2 per property\*; and
- requiring all cats over 6 months old to be desexed, microchipped and registered with Companion Animals New Zealand.

*\*Cats already living in urban areas in Buller will not be affected by the proposed bylaw.*

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The remainder of the proposed bylaw remains the same as the one which was consulted on in 2022.

These changes are considered of sufficient significance that Council has to go out again for public consultation to capture the community's feedback on these specific matters..

## What do these changes mean?

Read what these changes mean to understand the implications once the bylaw comes into effect.

## What happens if I already have more than two cats in an urban area?

If you have already have more than two cats at the moment you will NOT be affected by the new bylaw if the amendments are adopted. The by law will only affect future cat ownerships in urban areas.

## Does this just apply from here on in or is it retrospective?

Residents who already have cats and those with more than two cats will be encouraged to desex, microchip and register their pets. However the provisions of the bylaw will only apply to new cats and those being brought into the district after the bylaw is adopted.

## What do I do if I live in an urban area and want to have more than two cats?

You can apply to Council for an exemption. Council will consider your application and make a decision after assessing the following:

- If the cats will be adequately housed and that no nuisance will result; and
- If any other lawful requirements of the Council have been satisfied including any relevant provisions of the Operative Buller District Plan.

## Why will we have to desex and microchip our cats?

This helps keep your cat safe:

- Desexed cats are less likely to stray or roam in search of mates (and suffer in road accidents as a result) get in fights, or testicular or mammary cancer
- Desexing cats also prevents unwanted litters of kittens which are often abandoned and let to become feral. Feral cats are forced to hunt to survive and have a devastating effect on birds and wildlife.
- Microchipping and linking the chip and your contact details on the NZ Companion Animal Register helps reunite lost pets quickly

## How will Council be able to tell if my cat is desexed and microchipped?

Cats can be scanned to see if they have a microchip.

Apart from obvious signs of desexing vets can also provide a desexing certificate to owners if they've completed the surgery.

## What is microchipping and how do I link my contact details to the national register?

A microchip is a permanent method of identification. The chip is about the same size as a grain of rice and is placed under the skin by a vet by injection. It's like having an injection, although the needle is slightly larger. Cats generally tolerate the procedure well.

Each chip has a unique identification code which can be read by an electronic scanner.

The code is recorded along with your contact details on a national database, the New Zealand Companion Animal Register, operated by Companion Animals New Zealand, a registered charity.

In addition to microchipping costs there is a one-off registration fee of \$15 when you register pets online yourself.

## How will the bylaw be monitored?

One of the main reasons for having a Keeping of Animals bylaw is to ensure that animals in the district are kept in a way that avoids a nuisance to other people.

If complaints are made regarding a nuisance caused by an animal, including cats, Council staff will follow up on this complaint. They will visit the property and inform the owners of the rules in the bylaw that may have been breached.

Staff will provide owners with information about how to do better and then follow up as needed.

## What happens if people refuse to comply with the new provisions around cats, how it is enforced?

There will be no fines if people don't follow the new rules. However, if Council becomes aware that you have a cat that isn't desexed and microchipped, Council will contact you to remind you of the requirement as well as provide guidance on how to achieve that.

An owner who repeatedly refuses to microchip and / or desex their cat may be prosecuted for breach of the Animals Bylaw.

## How to have your say?

There are several ways you can find out more about the changes to the proposed Keeping of Animals Bylaw 2022, and how to have your say ...

- Download the Statement of Proposal and proposed Keeping of Animals Bylaw.
- Consultation Documents and submission forms can be collected from Council's offices and libraries in Westport and Reefton, i-Sites, and Resource Centres across the district.
- Make a submission online.
- Drop in your submission form at Council's offices in Westport and Reefton or send them to Buller District Council, PO Box 21, Westport 7866.

You can request copies or ask questions by sending an email to [info@bdc.govt.nz](mailto:info@bdc.govt.nz) with the subject Animal Bylaw.



### FOR MORE INFORMATION

To find out more visit Council's website [www.bullerdc.govt.nz/have-your-say/proposed-keeping-of-animals-bylaw-review](http://www.bullerdc.govt.nz/have-your-say/proposed-keeping-of-animals-bylaw-review). If you have further questions, please email [info@bdc.govt.nz](mailto:info@bdc.govt.nz) with the subject **Animal Bylaw**.

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## What happens next?

The consultation period closes at 4:30pm Monday 31 July 2023. Written submissions must be received at Council by that time, late submissions cannot be accepted.

If you indicate on your written submission that you wish to speak to your submission – to present your information to Councillors – you will be given a time slot to do so during the hearing that Councillors will hold, most likely in August – September.

After considering all submissions, Council will make any further changes to the proposed Keeping of Animals Bylaw 2022, with the final bylaw being adopted by October. The bylaw will come into effect as soon as it is adopted by Council.

## What is a bylaw?

Bylaws are discrete pieces of law created by councils that specifically apply to a district. These locally applicable forms of legislation deal with district-specific issues that are not already covered by any existing Acts of Parliament or Regulation.

## What are important documents?

- Statement of Proposal with changes for consultation July 2023
- Proposed Keeping of Animals Bylaw 2022
- Keeping Of Animals Poultry And Bees NZS9201.13 1999
- Submission Form Animal Bylaw

You can view the consultation documents on Council's website.

Consultation Documents and submission forms can also be collected from Council's offices and libraries in Westport and Reefton, i-sites, and resource centres across the district.



### FOR MORE INFORMATION

To find out more visit Council's website [www.bullerdc.govt.nz/have-your-say/proposed-keeping-of-animals-bylaw-review](http://www.bullerdc.govt.nz/have-your-say/proposed-keeping-of-animals-bylaw-review). If you have further questions, please email [info@bdc.govt.nz](mailto:info@bdc.govt.nz) with the subject **Animal Bylaw**.

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