Bylaw

KEEPING OF ANIMALS, BEES AND POULTRY

TITLE:	Ashburton District Council Keeping of Animals, Bees and Poultry
GROUP:	Compliance & Development
RESPONSIBILITY:	Environmental Monitoring Manager
DATE ADOPTED:	23 September 2026
COMMENCEMENT:	01 December 2026
NEXT REVIEW DUE:	20 May 2031

1. Title

The title of this bylaw is Ashburton District Council Keeping of Animals, Bees and Poultry Bylaw 2016.

2. Purpose

The purpose of this bylaw is:

- to outline requirements for the keeping of animals, bees and poultry. The requirements are deemed necessary for the protection of neighbouring property owners and/or occupiers from nuisance.
- to maintain and promote public health and safety

3. Related documents

This Bylaw is one of several documents related to the management of animals and / or nuisance. Other related documents are listed here and may be referred to in the Advisory notes in this Bylaw.

- Local Government Act 2002
- Animal Welfare Act 1999
- Ashburton District Council Explanatory Bylaw 2016
- Building Act 2004
- Dog Control Act 1996
- Health Act 1956
- Resource Management Act 1991
- Ashburton District Plan
- Ashburton District Council Public Places Bylaw 2018
- Ashburton District Biodiversity Strategy 2023

4. Application

This bylaw applies to Ashburton District.

5. Definitions

In this bylaw, unless the context otherwise requires:

Animal means stock, poultry and any other animal that is kept in a state of captivity or is dependent upon human beings for its care or sustenance.

Cat - companion / stray / feral:

- **Companion cat** - means a common domestic cat (including a kitten unless otherwise stated) that lives with humans as a companion and is dependent on humans for its welfare.

- **Stray cat -** means a companion cat that is lost or abandoned, and which is living as an individual or in a group (colony). Stray cats have many of their needs indirectly supplied by humans and live around centres of human habitation. Stray cats are likely to interbreed with the unneutered companion cat population.

- **Feral cat -** means a cat that is not a stray cat and which has none of its needs provided by humans. Feral cats generally do not live around centres of human habitation. The feral cat population size fluctuates largely independently of humans, is self-sustaining and is not dependent on input from the companion cat population.

Feral animal refers to an animal in a wild state, not domesticated or cultivated

Nuisance means, without limiting the meaning of the term "nuisance", any unreasonable interference with the peace, comfort, health or convenience of another person, whether by way of excessive noise or offensive odours, and includes a nuisance as defined in section 29 of the Health Act 1956.

Explanatory Note: Nuisance caused by dogs is regulated in the Dog Control Bylaw.

Pet means a domestic or tamed animal or bird kept for companionship or pleasure. This excludes feral or farmed animals and domestic livestock kept primarily or partly for the purpose of commercial gain as defined in the Ashburton District Plan 2014.

Poultry means any live domesticated bird including but not limited to, domestic fowls, ducks, geese, turkeys, guinea-fowl, pheasants and pigeons.

Urban area means properties not within any of the rural A, B or C zones of the Ashburton District Plan.

Stock has generally the same meaning as the Dog Control Act 1996 but for the purpose of this bylaw excludes pigs and possum and includes (not limited to):

(a) Any live horse, cattle, sheep, alpaca, llama, bison, donkey, hinny, mule, or water buffalo that is not in a wild state:

(b) Any deer, goat, tahr, rabbit, or other animal that is kept within a fence or enclosure for domestic or farming purposes.

6. Nuisance from animals

No person shall keep within or upon any premises in an urban area any animal which shall be or cause a nuisance to occupiers of other properties in the neighbourhood.

7. Pig keeping

7.1. No person shall keep or allow, permit or suffer pigs to be kept upon any property in an urban area. Elsewhere in the District no pigs shall be kept upon any property except in accordance with the provision of the District Plan and provisions of the Resource Management Act 1991, its amendments and re-enactments and all other relevant enactments.

8. Stock keeping

8.1. No person shall keep or allow, permit or suffer any stock to be kept or to remain on any property within an urban area, other than areas zoned Residential D under the Ashburton District Plan, without the prior written consent of and licence issued by the Council subject to such conditions as the Council may impose.

8.2. In considering an application for a stock licence the Council shall give due consideration to the opinions and submissions of the occupiers of neighbouring properties.

8.3. The Council may specify the number of stock permitted to be kept on or upon any property pursuant to a stock licence. It shall be an offence against this bylaw to exceed any restrictions as to numbers or other conditions imposed with such a licence.

8.4. If, in the opinion of Council, the keeping of stock is not compliant with the licence issued by Council, Council or any authorised officer may, by notice in writing, require the licence holder within a time specified in such notice to remedy the issue (for example, repairing fencing), before any revocation takes effect.

8.5. A stock licence may be forthwith revoked by the Council should any stock to which that licence applies wander off the property on which they are kept, create a nuisance, cause any damage to property, exceed the maximum number of stock permitted upon the property pursuant to the licence or if any of the conditions of the licence are not met in full or the holder of the licence has been convicted of an offence under the Animal Welfare Act 1999, its amendments or re-enactments.

8.6. Template licence conditions are provided in the Bylaw Advisory Note (First Schedule) and may be varied at Council's discretion.

8.7. The fee payable for any licence issued shall be as Council shall by resolution prescribe.

8.8. Where any stock is kept in a building, the building shall be constructed or made to comply with all relevant provisions of the Building Act 2004.

9. Moving of stock in urban areas

9.1 Regulation on the driving of stock in urban areas is stipulated in section 21.6 of the Ashburton District Council Transportation and Parking Bylaw.

9.2 The riding or leading of a horse in an urban area is permitted on the road or berm, not on any footpath .

9.3 Any person having control of stock or animals on roads in an urban area must:

- ensure that the stock or animals are kept under proper control; and
- immediately remove, and appropriately dispose of, any manure deposited in an urban area.

10 Poultry keeping

10.1 No person shall keep or allow, permit or suffer any poultry to be kept or to remain on any property within an urban area unless compliant with the following conditions;

10.2 The maximum number of adult poultry permitted on any property in an urban area is 12 as stated in the District Plan (Definitions Domestic Livestock).

10.3 No person shall keep poultry except in a properly constructed poultry house and covered in with a rainproof roof . It shall be maintained in good repair in a clean condition and free from any offensive smell or overflow and free from vermin.

10.4 No poultry house or poultry run shall be created or maintained in an urban area any part of which is within 10 metres from any dwelling, factory, or any other building, whether wholly or partially occupied, or within 2 metres of the internal boundary with adjoining premises (or such greater distances as may be required by the provisions of the District Plan and the Resource Management Act 1991).

Note: Setbacks from boundaries and buildings not affected by the District Plan or other requirements may be reduced or exempted by an authorized Council Enforcement Officer where the Enforcement Officer considers the poultry house or poultry run will not result in nuisance.

10.5 Every poultry run of whatever size shall be so enclosed as to confine the poultry within it.

11 Beekeeping

11.1 Persons keeping bees or suffering or permitting bees to be kept on their property shall ensure that no nuisance is caused to other persons by those bees.

11.2 Where Council considers a hive to be dangerous, offensive or likely to be injurious to people it may require removal or relocation of such hive.

11.3 All beekeepers have a legal requirement to register any apiary, as required under the Biosecurity Act 1993, within 30 days of placing beehives on that site. All hives must prominently show the Beekeeper's Registration Number. Registration of beehives is with the relevant national agency, not the Council.

12 Keeping of cats

12.1 Any person keeping, or permitting to be kept any domestic cat(s) must always ensure that:

- any such cat(s) over the age of four (4) months is microchipped and the cat's microchip registered with the New Zealand Companion Animals Register
- any such cat(s) over the age of four (4) months is de-sexed, unless:
  - the cat is kept for breeding purposes and currently registered to breed with a nationally recognised cat breeders' body, or
  - the owner provides a certificate from a veterinarian stating that the de-sexing of the cat will adversely affect its health and/or welfare.

Existing cat owners shall be granted a transition period from the commencement of this bylaw, during which they are required to desex, microchip and register any cats they already own. This transition period shall extend until ***September 23, 2027*** *(one year following adoption).*

12.2 No person must intentionally feed a cat other than a cat they own, unless it is temporary and for the purposes of a recognised stray cat management activity (including trapping, desexing, treatment, identification, reunification, or rehoming)~~,~~ where that feeding

- encourages stray or feral cat populations,
- results in nuisance or fouling, or
- adversely affects wildlife or public health.

13 Encouraging nuisances by feral animals

13.1 No person shall provide sustenance, harbourage or comfort to feral animals, including feral cats, so as to cause them to become a nuisance to other persons, except where temporary in nature and associated with capture or trapping operations of the feral animal(s).

13.2 Where feral animal (s) cause a nuisance the owner of the property from which the feral animal(s) emanates shall be required to abate the nuisance caused by the animal(s). Such actions may include but are not limited to:

- claiming the animal(s) as a pet and keep it in such a fashion as to abate any nuisance, or
- dispose of the animal(s) humanely so it no longer causes a nuisance to others.

14 Numbers of animals

14.1 No person shall keep or harbour animals in such numbers so as to cause a nuisance to other persons.

14.2 The owner of any animal (or the owner or the occupier of any premises whereon any animal or animals are customarily kept) shall take precautions to prevent the animal(s), or the keeping thereof, from becoming a nuisance or injurious to the health of the public, including but not limited to being uncontrolled on a public road or other public place.

14.3 If, in the opinion of Council, animals or the keeping thereof on such premises has become or is likely to become a nuisance or injurious to health, Council or any authorised officer may, by notice in writing, require the owner or occupier of the premises within a time specified in such notice to do all or any of the following:

- reduce the number of animals kept on the premises;
- construct, alter, reconstruct or otherwise improve enclosures, fencing or buildings used to house or contain such animals(s);
- require animals to be tied up or otherwise confined during specified periods;
- take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance or injury to health; and
- clean and keep clean areas used by the animals.

14.4 Any person to whom notice is given under the preceding provisions of this clause and who fails to comply with such notice within the time therein may be liable for costs associated with Ashburton District Council undertaking those works under the Local Government Act 2002 (sections 186-187).

15 Breach of the Bylaw

15.1 Where a Person acts in breach of this Bylaw, the Council may apply to the District Court for an injunction as set out in section 162 of the Local Government Act 2002; and

15.2 Every person who commits a breach of any of the provisions of this Bylaw commits an offence and may be liable on summary conviction to a fine of up to $20,000 as prescribed by section 242 of the Local Government Act 2002.

First Schedule – Stock Licence Conditions

BYLAW ADVISORY NOTE

These conditions apply to Urban Areas

1. All fences must be adequate to prevent escape of stock and damage to neighbouring property.

2. Any electric fencing must be:
   2.1 at least 1 metre from any boundary line and 1 metre from any neighbouring residential property;
   2.2 suitably labelled to indicate that the fence is electrified;
   2.3 checked daily to ensure it is operating correctly.

3. An adequate water supply must be provided in any area used to keep animals.

4. Where natural feed on the section becomes insufficient, the animals (except horses) are to be removed. Feeding in for horses is permitted, provided no nuisance arises.

5. Manure must not accumulate or be stockpiled in a way that causes nuisance.

6. The minimum area for keeping of horses shall be not less than 2023m2 for each horse (½ acre).

7. Any breach of the bylaw may result in the cancellation of this licence.