

Date: Friday, 30 July 2021

**ANIMAL MANAGEMENT
BYLAW REVIEW 2021**

**MANUREWA LOCAL BOARD
WRITTEN FEEDBACK Vol. 1
(84–85)**

Sub #	Organisation Name	Local Board
84		Manurewa
85		Manurewa



Animal Management Bylaw Review 2021

Every day Aucklanders interact with animals in ways that benefit their mental and physical wellbeing: with their pets at home for companionship, with animals in public to connect with nature, or for recreation such as horse riding.

Sometimes the way people interact with animals causes a problem. For example, a poorly maintained chicken coop may create an odour nuisance, or the feeding of wild animals may attract pests.

How Auckland Council helps maintain human-animal bonds

We make rules about animal ownership and interaction to minimise risks to public health and safety, nuisance, offensive behaviour and misuse of council-controlled public places.

The current rules are set in Te Kaunihera o Tāmaki Makaurau Ture-ā-rohe Tiaki Kararehe 2015 / the Auckland Council Animal Management Bylaw 2015 and associated controls.

Improving the rules about animal ownership and interaction

We recently checked how the rules are working and identified potential improvements.

Our main proposals are to:

- require an approval to keep more than two standard beehives on urban premises with a land area less than 2000 square metres (no approval currently required).
- incorporate rules from another bylaw about feeding animals on private property
- update the definitions, structure, format and wording of the Bylaw and controls to make them easier to read and understand.

Other aspects of the Bylaw, controls and their implementation remain unchanged, for example:

- the Bylaw continues to focus on the impact of animals on people
- matters already covered in existing legislation are not addressed in the Bylaw, for example animal welfare in the Animal Welfare Act, pest control in the Biosecurity Act and Auckland Regional Pest Management Plan and dogs in the Dog Management Bylaw
- existing rules in the Bylaw and controls for which changes are not proposed remain, for example the restrictions on the ownership of stock in urban areas and conditions for riding horses on certain beaches in Auckland.

Note: *this version of the feedback form has been created for the purpose of publishing submissions. As such, contact and demographic information has been removed and handwritten submissions have been transcribed.*

Submitter details

Organisation (if applicable):

Your local board: Manurewa

Your feedback

Proposal 1: Require an approval to keep more than two beehives on urban premises 2000 square meters or less

We have heard a range of views about limits on beehives in urban areas. We are seeking feedback on:

- allowing more or less beehives without an approval than the proposed two (for example, retaining the current no limit)
- limits for different sized urban premises than the proposed 2000 square metres (for example, requiring an approval for any beehive on urban premises less than 600 square metres, or in an apartment).

To own more than two hives, people would need to apply for an animal management license, which would consider factors like location and proximity to neighbours. These rules will not affect people living in rural areas.

What is your opinion on this proposal? Yes, I agree

Tell us why: Have been having problems with neighbours multiple beehives, bee swarming, bee excrement on home and multiple neighbours homes, washing, outdoor furniture cars for approx 3 years.

-urban beehives should not be on small sections with no flight paths available for bees.

-Takes hours to clean off windows and outer home as excrement so thick due to volume of bees. Swarming dangerous for people and pets fills backyard and culdesac and fly indoors if windows are open.

-Unsolicited beekeepers then roam streets and properties to gather swarming bees.

- If urban bees are allowed council should be responsible for suitable location and proximity allowed to neighbours, cleaning of houses affected should be paid for by council or owners of the bees as this is a BIG and CONSTANT job.

-Swarms should be controlled and owners should have proper knowledge of bee keeping.

Have been in contact with council to sort issues with neighbour with bees, meeting with council with multiple neighbours with no result - neighbour knew council workers that were sent to deal with issue as they work for the council. This is a conflict of interest that was not addressed and we as a neighbourhood are completely disappointed in how this issue has been handled.

Proposal 2: Move rules about the feeding of animals on private property to the Animal Management Bylaw

These rules already exist but we are proposing to include them within the Animal Management Bylaw rather than the Property Maintenance and Nuisance Bylaw 2015, so it is easier to find rules about animals.

What is your opinion on this proposal? Other

Tell us why:

Proposal 3: Update the Bylaw definitions, structure, format, and wording

We have done this to make the Bylaw and controls easier to read and understand, for example by:

- aligning definitions of 'nuisance' and 'public place' with those in the Public Safety and Nuisance Bylaw 2013
- aligning the Bylaw and control structure, format, and wording with current drafting practices.

What is your opinion on this proposal? Yes, I agree

Tell us why:

Are there any other comments you wish to make?

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What is your opinion on this proposal? Other

Tell us why: To the Bylaw panel reviewing feedback submissions,

To start, I would like to focus on your problem statement.

"Beekeeping is growing in popularity in Auckland and sometimes bees can cause a nuisance to other people. The restrictions seek to find a balance between enabling urban beekeeping and minimising the nuisance caused by bees both now and in the future. The proposed restrictions will still allow Aucklanders to keep up to two standard beehives without needing an approval (license)."

Source - <https://akhaveyoursay.aucklandcouncil.govt.nz/animal-management-bylaw/widgets/340424/faqs#question78645>

The proposal you have put forward to restrict the number of beehives on a section smaller than 2000 square meters will not fix the underlying cause of bees being a "nuisance to other people". The other issue here is that most housing in Auckland is smaller than the proposed size; therefore, you are punishing all beekeepers irrespective of whether they follow good beekeeping practices because of the few who are not.

I have read the existing Bylaw and believe that it already contains the needed rigour to hold beekeepers accountable for non-compliance. The Bylaw is well written and covers all the core control elements you would teach a new beekeeper, including many best practice guidelines.

1. Flightpath management
2. Bee management
3. Provision of water
4. Bee excrement management

The core purpose and penalties for breaching the Bylaw are unambiguous, as shown in its introduction.

"Introduction

The purpose of these controls is to provide for the keeping of bees, the keeping of stock in urban areas, and horse riding in public places, in a way that –

- (a) protects the public from nuisance;
- (b) maintains and promotes public health and safety;
- (c) minimises the potential for offensive behaviour in public places, and
- (d) manages animals on land owned or controlled by Auckland Council.

The controls are intended to promote responsible animal ownership and set minimum standards of best practice related to public health, safety and nuisance.

The controls are made under the Animal Management Bylaw 2015. A person who fails to comply with these controls is in breach of the Animal Management Bylaw 2015 and is liable to a penalty under the Local Government Act 2002 and/or the Health Act 1956. Penalties may include cancellation or suspension of an animal management licence or a court fine of up to \$20,000. "

In my opinion, the council needs to start making use of and enforcing the current Bylaw to hold non-complying beekeepers accountable. I would recommend that skilled beekeepers be employed or contracted to investigate any complaints and provide recommendations to both the beekeeper and the council. If the issue is not resolved and non-compliance continues, further enforcement action can be taken as stipulated in the Bylaw.

A property's location next to an open area, park or city fringes is considered the same as a section in a subdivided area, townhouse or apartment setting.

I am a large scale hobbyist beekeeper and have been keeping bees for several years. I have apiaries throughout the urban Auckland area, most of which have 3 to 4 hives yearly. I have up to 20 hives sited on two of my apiaries during the honey flow. Those two property sizes are approximately 650 square meters, with no housing in front or behind them. Neighbours on either side of these apiaries support my beekeeping, and I also have sighted hives on their properties. All my apiaries would fall under the proposal, and it would not be financially sustainable to have to seek a licence for each of my apiaries. I have never had any complaints from my neighbours, and nor have they caused a nuisance. I have been responsible for ensuring that best practice is being followed, showing that keeping more than two hives on a small apiary is possible if sited and managed correctly.

Throughout the early season, hive numbers can increase quite quickly and decrease with the movement of bees. Swarms will need to be caught and managed, and hives split. The new proposal does not allow for these natural bee lifecycle occurrences to happen without the risk of non-compliance.

Another issue, I also believe that you will force more "non-compliance" with the Biosecurity Act 1993 where beekeepers will not register their hives due to the imposed licencing cost. Currently, honey prices are at an all-time low, and many beekeepers struggle to make ends meet. Testing compliance costs, apiary registration costs and general management costs are already high and adding another "hive registration" cost will put unwarranted, excessive pressure on a beekeeper.

To conclude with my key points, the proposed Bylaw change,

1. Will not fix the current issue of "nuisance to other people".
2. It is punishing all beekeepers for the sake of a few poor practised beekeepers.
3. The Bylaw is well written and covers all the core control elements.
4. The core purpose and penalties for breaching the Bylaw are unambiguous.
5. The council is not effective in investigating or enforcing its current Bylaw, which is clear, concise and empowered, and this proposal does not address this.
6. I recommend that skilled beekeepers are employed or contracted to investigate any complaints.
7. A property's location next to an open area, park or city fringes is considered the same as a section in a subdivided area, townhouse or apartment setting.
8. Additional fees to keep bees will cause non-compliance and increase American Foul Brood control risk.
9. There is no allocation for the increase and decrease of hives as per a natural colony lifecycle
10. It will disadvantage many small business operators (directly affecting my business model).
11. Additional fees and bureaucracy could force many beekeepers to stop beekeeping

I strongly advocate that No-Limits are included in the Bylaw.

I do not believe that the wording and intent of the existing Bylaw pertaining to keeping bees in urban settings needs to be changed!

Yours sincerely,

These rules already exist but we are proposing to include them within the Animal Management Bylaw rather than the Property Maintenance and Nuisance Bylaw 2015, so it is easier to find rules about animals.

What is your opinion on this proposal? Other

Tell us why:

Proposal 3: Update the Bylaw definitions, structure, format, and wording

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- aligning the Bylaw and control structure, format, and wording with current drafting practices.

What is your opinion on this proposal? Other

Tell us why: The existing Bylaw is clear

Are there any other comments you wish to make?

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