

17 October 2023

Policy Team, Tahiwai  
Wellington City Council  
Dog Policy and Animal Bylaw Review  
PO Box 2199  
Wellington 6104  
via email: [policy.submission@wcc.govt.nz](mailto:policy.submission@wcc.govt.nz)

To whom it may concern,

## **Dog Policy and Animal Bylaw Review 2023**

Thank you for the opportunity to submit on the Dog Policy and Animal Bylaw Review.

Apiculture NZ (ApiNZ) is the national body representing the apiculture industry in New Zealand covering the full range of sectors, from hobbyist and commercial beekeepers to honey exporters, packers and suppliers. ApiNZ aims to support and deliver benefits to the New Zealand apiculture industry by supporting a thriving long-term future for New Zealand honeybee products and services, including having a strong bee health and biosecurity position.

In general, ApiNZ supports bylaws for bees that balances practicality for beekeepers for workability for the local council. Bees play a crucial role in our environment and need our protection.

While we broadly support the proposed standard, we have comments on some of the provisions in the proposed standard. Appendix One contains comments and proposed changes on specific clauses in the Bylaw. Our main comments are summarised below.

### **Provision 2.2.4 - Written permission for keeping more than four hives**

This clause is too general as it only says that granting permission to keep animals with specific conditions may be subject to a fee. There should be specific rules for when fees apply and when they do not for transparency. There is also no clarity on how long this permission, once gained, will last: will be a one off or if it will have to be re-applied for and if so, how often.

### **Provision 6.1.2 - Number of hives per residential block**

ApiNZ supports there being a limit on the number of hives on each residential block. While the issue is more appropriately about how many hives are in the locality, as it is difficult to determine how many hives are in a specific area, limits are useful to prevent unreasonable hive numbers. We support the proposed minimum of four hives, as it is best to keep at least two hives to allow enough flexibility to manage the hives appropriately.

### Provision 6.1.3 – Council may require removal of hives

Removal should be the option of last resort, especially for rural properties. Other options should be considered first, including (but not limited to) moving the hives to another part of the property, building a tall fence to direct bees leaving the hive to above head height, or turning the hives so the bees leave the hive in another direction.

If Council requires hives to be removed for any of the reasons listed in the proposed bylaw, it should be a mutually agreed process with a timeline that is practical. It is not always practical to remove hives within a very short timeframe, as time may be needed to either find another suitable site to keep the hives or to find a new home for them. The removal process should be tailored to the individual situation. A one size fits all process is not appropriate as circumstances will vary.

The use of the word 'nuisance' in this provision is very subjective as the problem could vary from bee faeces to something much more serious. ApiNZ supports a more appropriate word such as 'hazardous' as it implies a more serious situation.

We also recommend a link to Apiculture New Zealand's bee welfare code titled: New Zealand Honeybee Care Code™ Supporting bee welfare. It can be found on our website here:  
<https://apinz.org.nz/wp-content/uploads/2021/12/NZ-Honeybee-care-code-Final.pdf>.

Reference should also be made to WCC's Caring for Bees factsheet which is available on the Council website. We note some of the material is dated and we would happy to support Council in updating this valuable factsheet.

We are happy to answer questions about any of the points raised in this submission.

Yours sincerely



Karin Kos  
Chief Executive

### Appendix One: Proposed changes and comments on specific clauses in the draft Wellington Consolidated Bylaw 2008: Part 2 - Animals

Proposed bylaw provision	Submission point	Support or oppose	ApiNZ submission	Relief Sought
<b>1. Interpretation</b>				
<b>Animal</b> has the meaning defined in the Animal Welfare Act 1999 and means any live member of the animal kingdom that is a mammal, bird, bee, or any other member of the animal kingdom that is declared from time to time by the Governor-General, by Order in Council, to be an animal.	1	Support		No relief sought
<b>Large lot residential zone</b> refers to properties in lower density development as outlined in the Council's District Plan. They are typically larger sites that are located on the periphery of urban areas	2	Support	ApiNZ appreciate the clarification that this definition applies to how properties are classified in the District Plan.  Properties who pay residential rates that are located in rural areas should not be classified as residential for the purposes of this bylaw.	No relief sought
<b>Residential area</b> refers to refers to any area that is not classified as the "General Rural Zone" or (unless otherwise specified) "Large Lot Residential Zone" in the Council's District Plan. It includes areas such as the Medium Density Residential Zone, High Density Residential Zone and City Centre Zone	3	Support	ApiNZ appreciate the clarification that this definition applies to how properties are classified in the District Plan.  Properties who pay residential rates that are located in rural areas should not be classified as residential for the purposes of this bylaw.	No relief sought

Proposed bylaw provision	Submission point	Support or oppose	ApiNZ submission	Relief Sought
<b>Rural area</b> refers to any area included in the “General Rural Zone” and (unless otherwise specified) “Large Lot Residential Zone” in the Council’s District Plan. It is the largest Zone in terms of land area and is characterised by a sense of remoteness, spaciousness, pastoral farming and rolling countryside.	4	Support	ApiNZ appreciate the clarification that this definition applies to how properties are classified in the District Plan.  Properties who pay residential rates that are located in rural areas should not be classified as residential for the purposes of this bylaw.	No relief sought
<b>2. Activities that require Council permission</b>				
<b>2.2.3 Keeping animals</b>				
2.2.3 c. keeping more than four hives in a residential area, as outlined in section 6.	5	Support in part	ApiNZ agrees that, while the issue is more appropriately about how many hives are in the locality, as it is difficult to determine how many hives are in a specific area, limits are useful to prevent unreasonable hive numbers  See section 6.1.2 for more comments.	
<b>2.2.4</b>				
2.2.4 The Council may grant permission to keep animals with specific conditions and this may be subject to a fee.	6	Oppose	This clause is too general as it only says that granting permission to keep animals with specific conditions MAY be subject to a fee. There should be specific rules for when fees apply and when they do not for transparency. There is also no clarity on how long this permission, once gained, will last.	Provide specific rules for when fees will apply and how they will be calculated, for example, as a set fee or based on an hourly rate.  Specific information should be provided by Council on how long any permission will last: if it will be a one off or if it will have to be re-applied for and if so, how often.

6. Bees				
6.1 Keeping bees on private land				
6.1.1 Written permission is not required if a person wishes to keep bees within a rural area	7	Support in part	For consistency with provision 6.1.2, clarify that written permission, if needed, would be sought from the Council and not any other persons or agencies. Provision 2.2.4 clarifies that permission to keep animals is granted by Council, so for clarity, Council should also be mentioned in this clause.	Written permission <b>from the Council</b> is not required if a person wishes to keep bees within a rural area
6.1.2 An owner or occupier of any property in a residential area may keep four hives without prior written permission from the Council	8	Support	<p>ApiNZ agree that, while the issue is more appropriately about how many hives are in the locality, as it is difficult to determine how many hives are in a specific area, limits are useful to prevent unreasonable hive numbers or commercial operators.</p> <p>ApiNZ also supports permission not needing to be sought from adjoining or neighbouring properties to keep beehives on a residential property as this is impractical and unworkable.</p>	No relief sought
6.1.3 The Council may require the removal or relocation of a hive(s) if the conditions for which the permission was originally given are not being met, if the Authorised Officer deems it to be an issue, and/or if nuisance complaints from two or more different adjoining property owners have been received. This applies to both residential and rural zoned areas.	9	Support in part	<p>Removal should be the option of last resort, especially for rural properties. Other options should be considered first, including (but not limited to) moving the hives to another part of the property, building a tall fence to direct bees leaving the hive to above head height, or turning the hives so the bees leave the hive in another direction.</p> <p>Removal of hives should not need to be an option for properties zoned rural in the district plan as there is likely to be sufficient space to move the hives to another part of the property.</p>	... and/or if <b>nuisance hazardous</b> complaints about from two or more different adjoining property owners have been received.

			<p>Removal, if required, should be a mutually agreed process with a timeline that is practical. It is not always practical to remove hives within a very short timeframe, as time may be needed to either find another suitable site to keep the hives or to find a new home for them. The removal process should be tailored to the individual situation. A one size fits all process is not appropriate as circumstances will vary.</p> <p>The use of the word 'nuisance' in this provision is very subjective as the problem could vary from bee faeces to something much more serious. The term 'hazardous' would be more appropriate as it implies a more serious situation.</p> <p>ApiNZ supports complaints needing to be from at least two adjoining properties as being from properties 'nearby' lacks too much clarity.</p>	
6.2 Community beekeeping				
6.2.1 Beekeeping on any Council land, including parks and reserves, is a managed activity and is prohibited unless you have obtained a license or prior written permission from the Council is obtained. Applications will be assessed by an Authorised Officer and may be granted with specific conditions	10	Support		No relief sought

6.2.2 No new hives will be permitted on Parks and Reserves land unless they are located within a community garden licensed area.	11	Support		No relief sought
6.3 Assessment considerations				
6.3.1 The Council may consider the following conditions when assessing permission for beekeeping:				
6.3.1 a. Beekeepers must ensure that hives are positioned to avoid the flight path impinging on any neighbouring dwellings or living area	12	Support		No relief sought
6.3.1 b. A suitable water source must be provided for the bees.	14	Support		No relief sought
6.3.1 c. Management techniques employed to reduce the likelihood of causing nuisance to any person will be taken into consideration.	15	Support		No relief sought
6.4 Legal requirements				
6.4 All beekeepers have a legal requirement under the Biosecurity Act 1993 to register any apiary, within 30 days of placing beehives on that site. All hives must prominently show the Beekeeper's Registration Number.	16	Support in part	Many other Councils have included this provision in their bylaws. We advise it is more specific in relation to the relevant PMP.	<p>To read:</p> <p>All beekeepers have a legal requirement under the Biosecurity Act 1998 to register with <b>the AFB Pest Management Agency</b>, any apiary within 30 days of placing hives on that site.</p> <p><b>The Beekeeper's Registration Number must be displayed on at least one hive or on a sign within each apiary.</b></p>



# APICULTURE

NEW ZEALAND

--	--	--	--	--