Keeping of Animals, Poultry and Bees Bylaw 2026

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TE KAUNIHERA Ā-ROHE O
Whanganui
DISTRICT COUNCIL

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1. Title

This is the Keeping of Animals, Poultry and Bees Bylaw 2026.

2. Commencement

This Bylaw will come into effect on 1 July 2026.

3. Application

Will be in force across the entire Whanganui District.

4. Statutory Authority

(1) This Bylaw is made in accordance to the powers given to the Whanganui District Council by the Local Government Act 2002, including section 145, for the purposes of protecting the public from nuisance and protecting, promoting, and maintaining public health and safety.

(2) This Bylaw regulates the keeping of animals, poultry, and bees within the Whanganui District to minimise adverse effects on neighbouring properties and the wider community.

(3) Nothing in this Bylaw limits or replaces the obligations of any person under the Animal Welfare Act 1999.

Part 1

Preliminary provisions

5. Purpose

(1) To regulate the keeping and control of animals, poultry and bees in the district to:

a) protecting the public from nuisance

b) protecting, promoting, and maintaining public health and safety

c) control the slaughter of animals in urban areas

d) minismise risks and disruption to road users caused by:

(i) the movement of stock; and

(ii) roadside grazing

6. Exclusions

(1) This Bylaw does not apply to:

a) any dogs; or

b) zoos or zoological gardens.

7. Definitions

In this bylaw, unless the context otherwise requires –

Any undefined words, phrases or expressions used in this Bylaw have the same meaning as in the Local Government Act 2002 unless the context plainly requires a different meaning.

Act
means the Local Government Act 2002.

Animal
means any member of the animal kingdom that is kept captive or domesticated, including any mammal, finfish, shellfish, reptile, amphibian, insect, or invertebrate.
Animal includes the carcass or any part of the animal, but does not include human beings or dogs.

Approval
means a licence, permit or other form of written approval granted under this bylaw, and includes all conditions to which the approval is subject.

Authorised Officer
means any person appointed by the Council to act on its behalf and with its authority, and may include a police officer.

Breeder

means a person who owns or keeps Animals for the purpose of, or with the intention of, breeding from them.

Bylaw
means the Keeping of Animals, Poultry and Bees Bylaw 2026.

Council
means the Whanganui District Council or any Authorised Officer.

District Plan
means the operative Whanganui District Plan, or any Proposed Whanganui District Plan or part of a plan that is deemed to be operative for the purposes of the Resource Management Act 1991.

Keep or Keeping
means owning, looking after, caring for, being in charge of, having custody or possession of any Animal, and includes the Animal's young.

Homekill or Recreational Catch Service Provider
has the same meaning as part 6 of the Animal Products Act 1999.

Person
includes a corporation sole, a body corporate, and an unincorporated body.

Pig
means any animal of the Sus genus, but excludes a kunekune pig where it is kept on grass alone and is not given supplementary feed.

Primary Processor
has the same meaning as the Animal Products Act 1999.

Principal building
is the main structure on a lot where the primary use, activity, or business occurs, typically defined by its superior size, function, or role on the property.

Premises
means all land and buildings within a single rating unit.

Poultry
means any live domesticated or farmed bird, including but not limited to chicken and domestic fowls of any description.

Public Place
means any place that, at any material time, is under the control of Council and is open to, or used by, the public, whether free of charge or on payment of a charge.
Public Place includes any Road, whether or not it is under the control of the Council.

Nuisance

has the same meaning as in section 29 of the Health Act 1956, and includes any person, animal, thing (including bee excrement), or circumstance that causes unreasonable interference with the peace, comfort, or convenience of another person.

Explanatory note: *Without limiting the meaning of nuisance, section 29 of the Health Act 1956 provides that a nuisance is deemed to exist where, for example:*

a) any accumulation or deposit is offensive or likely to be injurious to health;

b) any premises are in a condition likely to harbour rats or other vermin;

c) any premises are offensive or likely to be injurious to health;

d) any building or premises used for keeping animals are constructed, situated, used, or maintained in a way that is offensive or likely to be injurious to health;

e) any animal, carcass, or part of a carcass is kept or allowed to remain so as to be offensive or likely to be injurious to health;

f) noise or vibration from any building, premises, or land (including noise from animals) is likely to be injurious to health;

g) any condition exists that is likely to enable the breeding of flies, mosquitoes, or other insects, mites, or ticks capable of causing or transmitting disease.

h) this includes noise and odour associated with keeping animals.

Owner

means any person who:

a) owns the Animal or Bird; or

b) is the parent or guardian of a person under 17 years of age who:

(i) owns the Animal or Bird; and

(ii) lives with, and is dependent on, that parent or guardian.

Stable

means a building in which Stock are kept.

Stock includes:

sheep, goats, pigs, horses, cattle, deer, camelids, ostriches, and emus that are:

a) being herded, mustered, or handled as farm animals; or

b) kept within an effective fence or enclosure for domestic or farming purposes.

any other Animal that the Council, by resolution, determines to be Stock for the purposes of this bylaw.

Stocking Rate

means the number of animals carried or run on a defined area of land. Expressed in stock units.

Livestock Unit (LSU)

means a standard measure of feed requirement used to compare different classes and species of stock.

One livestock unit is equivalent to the annual feed requirement of a 55 kg ewe rearing a single lamb, requiring approximately 520 kg of good-quality pasture dry matter per year.

Stock Underpass

means a structure allowing the passage of stock beneath a road.

Road

has the meaning given in section 2 of the *Land Transport Act 1998*, and includes:

a) a street;
b) a motorway;
c) a beach;
d) a place to which the public has access, whether as of right or not;
e) all bridges, culverts, ferries, and fords forming part of a road, street, motorway, or place referred to in paragraph (d); and
f) all sites at which vehicles may be weighed for the purposes of that Act or any other enactment.

Temporary Electric Fence

means an adequate electric, stock-proof fence erected on a Road verge for grazing purposes, and constructed using:

a) multi-wire tread-in standards; or
b) pigtail standards.

Urban Area

means any area of the District zoned residential, commercial, or manufacturing in the Whanganui District Plan.

Vehicle

has the meaning given in section 2(1) of the *Land Transport Act 1998*.

Part 2

General

8. Nuisance

(1) No person shall:

a) Keep, feed or harbour any Animal which is causing, or is likely to cause a Nuisance, or a threat to public health or safety of people in the vicinity; or

b) Keep, feed or harbour any Animal in such a manner or in such conditions that it is causing, or is likely to cause a Nuisance, or a threat to public health or safety of people in the vicinity; or

c) Keep, feed or allow any Animal in a Public Place in a manner which is causing, or is likely to cause a Nuisance or a threat to public health or safety of people in the vicinity.

d) Keep any stallion, bull, uncastrated male goat, pig or rooster in the Urban Area.

(2) Any Animal (excluding bees, cats and pigeons) kept on any Premises within the District shall be effectively contained or restrained within the property of the owner or occupier by fence, tether, pen, run or cage so as to prevent the Animal from straying onto any neighbouring property, Road or Public Place.

(3) Any person keeping or having control of any Animal on any Premises within the District shall ensure that any building or other structure or yard in which they are kept is maintained in a clean and sanitary condition, and that the noise and odour associated with the Animal is as far as practicable confined within the Premises concerned.

(4) Dead Animals or any part thereof must be removed immediately from any Premises where it is likely to cause a Nuisance.

Explanatory note: *Failure to do so may result in an Authorised Officer arranging removal of the dead Animal with costs incurred being charged to the landowner or occupier.*

9. Cats

(1) Except with the approval of Council, a person must not keep more than three (3) cats over the age of three months on any Premises within an Urban Area.

(2) Any cat over four (4) months must be:

a) microchipped, and the cat's microchip must be registered with the New Zealand Companion Animal Register; and

b) de-sexed unless:

(i) the cat is kept for breeding purposes and is registered with a nationally recognised cat breeders body; or

(ii) the owner provides a certificate from a veterinarian stating that de-sexing will adversely affect the cat's health and/or welfare.

(3) Clause 9(1) and (2) do not apply to any lawfully established:

a) vets; or

b) the SPCA or a similar charity; or

c) cat boarding premises.

Explanatory note: *The boarding of cats requires resource consent under the Whanganui District Plan.*

(4) If, in the opinion of Council, the keeping of cats on any Premises causes, or is likely to cause, a Nuisance, Council may by written notice require all or any of the following to:

a) reduce the number of cats kept on the Premises; or

b) take any other precautions as may be considered by Council to reduce the effects of the Nuisance.

10. Pigs

(1) A person must not keep any pig in the Urban Area.

(2) Except with the approval of Council, a person must not keep a pig in a way that allows the pig at any time to be within:

a) 50 metres of an occupied dwelling or any wholly or partly occupied building on an adjacent Premises; or

b) 50 metres of a Public Place or any place used for the preparation, storage, or sale of food for human consumption.

c) 50 metres of an adjoining Premises boundary.

(3) A person must not site, store, or place a building housing pigs, pig swill, or manure within 50 metres of an adjoining Premises boundary.

(4) A person must not keep any pig that, in the opinion of Council, causes, or is likely to cause, a Nuisance or create a danger to public health.

11. Maintenance of Pigsties

(1) The owner of any pig must keep the pigsty, and all drains, tanks, and other areas associated with the pigsty, in a clean condition.

Storage of Pig Food

(1) All food intended for any pig must be contained in a rigid, leak-proof container with a close-fitting cover sufficient to prevent access by flies or the escape of offensive odours.

Explanatory note: *It is an offence under the Biosecurity (Meat and Food Waste for Pigs) Regulations 2005 to feed pigs untreated meat or untreated food waste.*

12. Poultry

(1) A person must not keep:
   a) a rooster or allow a rooster to be kept in an Urban Area;
   b) more than 12 Poultry within an Urban Area;
   c) Poultry that, by noise, odour, flies, insects, or vermin, causes or is likely to cause a Nuisance or create a danger to public health;

(2) A poultry house, aviary, coop, or poultry run must be erected and maintained at a minimum of:
   a) ten (10) metres from any neighbour's principal building; and
   b) two (2) metres from the boundary of adjoining Premises.

13. Horses

(1) A person must not:
   a) keep a horse in an Urban Area except with the Approval of Council;
   b) keep a stallion or allow a stallion to be kept in an Urban Area;
   c) drive, lead, ride, or exercise any horse along a footpath or on any lawn, garden, or other cultivation adjacent to or forming part of a Road;
   d) tie or otherwise leave out any horse for the purpose of depasturing or grazing on a Public Place.

(2) Within an Urban Area, the owner, rider, or person responsible for any horse that defecates in a Public Place, on Premises, or land other than that owned or occupied by the owner, rider, or person responsible for the horse must, as soon as reasonably practicable, remove and dispose of that excrement.

14. Keeping of Bees

(1) Any person who keeps bees or allows bees to be kept on their Premises must ensure that no Nuisance is caused to other persons by those bees.

(2) Despite clauses 3 and 4, if Council considers a Hive to be dangerous, offensive, or likely to cause injury to people, an Authorised Officer may require the Hive to be removed.

(3) Any person keeping or permitting bees to be kept on their premises shall ensure that a suitable water source is provided for the bees.

(4) Except with the approval of Council, on Premises within the Urban Area:

a) no more than two (2) Hives may be kept;

b) each Hive must be registered with Council;

Explanatory note: Registration can be completed through the Council's website: https://www.whanganui.govt.nz

c) a Hive must not be located within three (3) metres of any footpath or the boundary of a Premises;

d) a Hive must not be located within ten (10) metres of a dwelling not located on the Premises;

e) a Hive must be located so that the bees' flight path is directed to a minimum height of 1.8 metres above the Premises boundary;

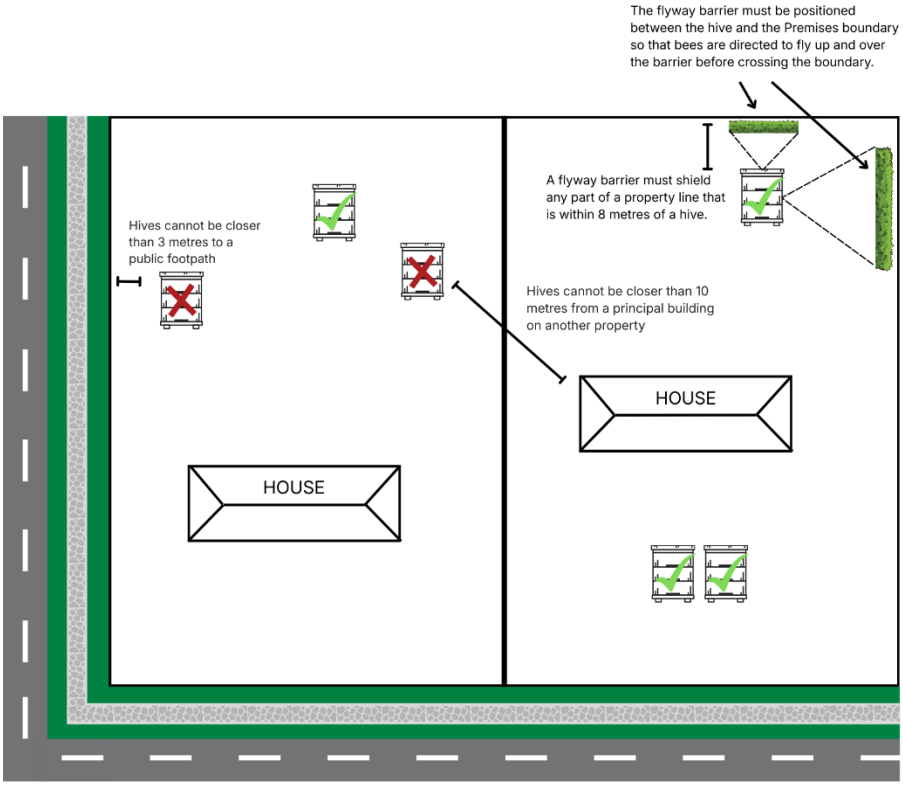
f) Where a Hive is located within eight (8) metres of a Premises boundary, a flyway barrier must be installed to direct the bees' flight path to a minimum height of 1.8 metres above the Premises boundary;

g) The flyway barrier under clause 3(f) must:

(i) consist of a wall, fence, dense vegetation, or a combination of these;

(ii) have a minimum height of 1.8 metres; and

(iii) extend a minimum distance on either side of the Hive equivalent to the distance from the Hive to the barrier.



Explanatory note: *Resource consent must be obtained from Council for any fence over 1.8 metres high*.

(5) Except with the approval of Council, on Premises outside of an Urban Area:

(a) a Hive must not be kept less than 40 metres from any boundary of a Premises, roadside, Public Place, or right of way unless Council has provided its written approval;

(b) a Hive must be located so that the bees' flight path is directed to a height of 1.8 metres above the Premises boundary.

Explanatory note: *In addition to the above, all Hives must be registered under the Biosecurity Regulations. Registration can be completed through the National AFB Pest Management Agency website: www.afb.org.nz*

15. Slaughter of Animals

(1) A person must not, or allow another person to, slaughter Animals or dismember, handle, process, hang, or otherwise store or dispose of the carcass or remains of Animals on any Premises so as to cause, or be likely to cause:

a) a Nuisance; or

b) odour; or

c) pose a threat to public health and safety; or

d) offense.

(2) Within an Urban Area, all waste associated with the slaughter of Animals must be removed from the Premises immediately.

(3) Clause 15(2) does not apply to the registered Premises of a Primary Processor under the Animal Products Act 1999 unless it is a Homekill or Recreational Catch Service Provider operating from a mobile site.

(4) Any slaughter must be undertaken in a manner that is screened from the view of any person nearby, other than the contractor, owner, or occupier of the land on which the activity is carried out.

Explanatory note: *The screen must be of sufficient height and size to block the line of sight and prevent the slaughtering or processing activity from being seen.*

Stock

16. Movement of Stock Movement of stock

(1) Council may, by resolution made in accordance with clause 21,
   a) designate certain urban roads as approved stock routes; or
   b) designate roads where stock movements are restricted or not allowed.

(2) If Council considers that moving stock along a road is likely to damage the road or nearby property or put road users at risk, Council may:
   a) stop that person from moving stock on that road or part of the road; or
   b) allow the stock movement, subject to conditions.

(3) Conditions may include, but are not limited to, the following:
   a) The construction and use of a stock race, stock crossing, or Stock Underpass;
   b) putting up warning signs; or
   c) the payment of reasonable costs.

(4) Except where approved under clause 16(1), a person must not move stock (other than a horse) along or across a road in an Urban Area, unless there is an emergency.

(5) Stock must only be moved during daylight hours.

(6) All crossing or moving Stock must be under the control of an experienced stock person at all times.

(7) Where visibility for road users is limited, at least two people must control the movement or crossing: one positioned in front of the stock, and one positioned behind the stock.

(8) A Person must keep Stock moving toward their destination and cannot linger on the road.

17. Road crossings

(1) Stock road crossings are classed as Permitted, Conditional, or Restricted, based on traffic volume, visibility, and how often stock are moved.

a) Permitted crossings:

A crossing is permitted where:

(i) the number of stock being moved is not to exceed the permitted maximum appropriate to the average daily traffic volumes at the site of the movement as indicated in Appendix 1 - Chart 1.

(ii) stock are moved no more than 15 times in a calendar month; and

(iii) there is at least 250 metres of clear visibility for approaching vehicles and/or any potential hazard or obstruction posed by the movement of Stock.

b) Conditional crossings

Where at least one permitted factor under Appendix 1 is exceeded, or where the specific characteristics of the location require conditional classification; but where no restricted classification factor is exceeded.

Council may impose conditions, including:

(i) washing or sweeping the road after stock movements;
(ii) using an approved protective mat on the road surface;
(iii) a reduction of the minimum length of unimpeded visibility;
(iv) additional traffic safety measures.

c) Restricted crossings

A crossing is restricted where:

(i) stock numbers exceed the limits in Appendix 1 – Chart 1; or
(ii) stock are moved more than 60 times in a calendar month.

In these cases, stock must be moved using an approved Stock Underpass.

18. Grazing of Stock in Urban Areas

(1) Except with the written approval of Council, a person must not keep Stock at a stocking rate of greater than one (1) livestock unit per 1,000 m² of grazable pasture within an Urban Area.

19. Grazing of Road Reserve

(1) A person may apply to Council for a permit to temporarily graze Stock on Council's road reserve, provided the person holds valid and adequate public liability insurance.

(2) While grazing the road reserve, Stock must be contained within a Temporary Electric Fence and must be trained to electric fencing.

(3) The Temporary Electric Fence must be located at least:

a) one (1) metre from any water table; and

b) two (2) metres from the edge of any Road.

(4) The Temporary Electric Fence shall only be erected on the road reserve directly beside the permit holder's property, unless written permission is obtained from the neighbouring property owner to graze that neighbour's road reserve frontage.

(5) Safety reflectors that are visible from the left-hand approach must be fitted to both ends of the Temporary Electric Fence and at intervals of no more than 50 metres along the fence.

(6) A Temporary Electric Fence may only be used during daylight hours. Stock must be removed from the road reserve during the hours of darkness.

(7) Council may specify Roads where a Temporary Electric Fence must be removed during the hours of darkness.

(8) The Stock owner is responsible at all times for the security of Stock grazing the road reserve.

(9) The Stock owner remains liable at all times for Stock grazing the road reserve.

20. Gates and Cattle Stops Across Roads

(1) Council may, by written notice, allow a person to put in place a swing gate, a cattle stop, or both, across any Road, where:

a) Council considers it is not practicable or reasonable to fence the Road; or

b) the Road passes through private land by agreement, or is to be constructed through private land, and the landowner asks for a cattle stop at the outer boundary.

(2) Where a swing gate or cattle stop is put in place across a Road, signs showing the words "Public Road" in letters at least 75 mm high must be attached on each side of the swing gate or cattle stop, and kept in good condition at all times by the person holding the permit.

(3) Where a swing gate or cattle stop across any Road is considered redundant or an inconvenience, either by Council or following a petition signed by 20 or more residents of the District, Council may give written notice to the permit holder to revoke the permit and require the swing gate or cattle stop to be removed.

(4) Where a swing gate or cattle stop is put in place across a Road for the purpose of confining or grazing Stock, Council may impose conditions about the maintenance of that Road.

(5) Council may require a landowner to fence the roadside frontage where this is necessary for public safety or convenience.

Part 3

Administration and Enforcement

21. Resolutions

(1) A resolution made under this bylaw may:

a) regulate, control or prohibit any matter or thing generally, or for any specific classes of case, or in a particular case; or

b) apply to any specified time or period of time.

(2) A resolution under clause 21(1) shall be public notified

(3) Clause 21(2) does not apply to any proposal which will consolidate resolutions previously made under this part or has the same effect as a resolution made under a bylaw revoked by this part.

22. Approvals

(1) Council may grant an approval (with or without conditions), or refuse an application, at its discretion.

(2) In deciding to grant or decline an application for approval the Council will consider the following general matters for all applications:

a) compliance with the Bylaw standards;
b) reasonableness or practicality of compliance with the general and specific conditions;
c) the location of the activity and whether it is likely to cause a Nuisance, obstruction or a hazard;
d) the suitability of a Person to hold an Approval taking into account any known past operational issues and the applicant's experience and track record;
e) whether the activity is consistent with Council policies and plans.

(3) Council will also consider the following additional matters for specific applications:

Bees:

a) whether a suitable water source is available;

b) whether there is an adequate food source; and

c) the density of hives in the surrounding area.

Pigs:

a) whether written approval has been obtained from adjoining neighbours.

Any person who has an application declined or revoked by the Council may apply in writing for a review of the decision and the Council may review it accordingly.

23. Review of an approval

(1) Council may cancel, amend, or initiate a review and approval issued under this bylaw if;

a) change in circumstances relating to:

(i) the Premises;

(ii) the owner or occupier of the Premises;

(iii) the Animals kept on the Premises; or

(iv) a neighbouring approval;

b) urgent action is needed to protect the public from unsafe or hazardous conditions;

c) the activity authorised by the approval is likely to:

(i) affect public health or safety;

(ii) cause a nuisance;

(iii) cause an unreasonable obstruction; or

(iv) result in offensive behaviour in a public place;

d) the approval holder has failed to comply with the conditions of the approval, or with any relevant criteria, policy, or guideline approved by Council; or

e) the approval holder has failed to comply with written instructions from Council within the required timeframe.

(2) A review of an approval may result in:

a) the approval being amended;

b) the approval being suspended;

c) the approval being cancelled; or

d) no further action is being taken.

24. Non-compliance with this bylaw

(1) Council may use the enforcement powers available to it under the Act to enforce this bylaw.

(2) A person who does not comply with any control, restriction, limitation, or prohibition made under this bylaw commits an offence under the Act and may be liable to the penalties set out in that Act.

(3) A person commits an offence under this bylaw if they:

a) obstruct or hinders with an Authorised Officer while the officer is carrying out duties or exercising powers under this bylaw; or

b) fail to comply with a written instruction given by an Authorised Officer while exercising duties or powers under this bylaw; or

c) damages, destroys or defaces (or has in his or her possession, without authority from the Council) any property, article or thing belonging to Council or under Council's control.

25. Impounding

(1) Council may impound any Animal found wandering, without prior warning.

(2) Council may also impound any Animal that is in breach of this bylaw.

(3) Any Animal that is impounded must be held for the period required under the relevant legislation.

(4) Council will return and may dispose of property seized and impounded in accordance with sections 167 and 168 of the Act.

26. Removal of works

(1) Council may:

a) remove or change any structure, work, or thing that has been constructed in breach of this bylaw; and

b) recover the full cost of that removal or change from the person responsible for the breach.

27. Recovery in the event of damage or other loss

(1) Where any breach of this Bylaw destroys, damages, stops, obstructs, or otherwise interferes with any works or property owned, constructed, acquired, or used by Council, the Council may recover the cost of repairing the damage and/or the full extent of its loss from the person responsible for the breach.

28. Exceptions

(1) A person does not breach this bylaw if they can show that:

a) the action or failure to act was carried out in accordance with instructions given by an Authorised Officer; or

b) where the action or failure to act was by an Authorised Officer, it was necessary to carry out that person's duties.

29. Savings

(1) Any approval or control that is in place when this bylaw comes into force continues to apply until it is revoked or replaced by a resolution, approval, or decision made by Council under this bylaw.

Appendix 1

Stock Movements

