

Normandale Residents Association

*c/o 301 Normandale Road
Lower Hutt*

SUBMISSION

TO HUTT CITY COUNCIL

on

Proposed Control of Animals Bylaw 2008

The Normandale Residents Association wish to make the following submission on this proposed bylaw.

Overall comment

We fully support the intent of the Bylaw to regulate the keeping and control of animals in so far as these pertain to the welfare of the animals in question. However we are concerned that the proposed bylaw, as currently drafted, does not, apart from the clause dealing with cockerels, draw sufficient distinction between the urban and rural areas of the City.

In particular we are concerned that the Bylaw as currently drafted would enable actions to be taken such that newcomers to a rural location could object to existing practices and conditions consistent with the normal operation of small farms and lifestyle holdings.

We are particularly concerned to maintain the rural nature of the area of upper Normandale and other peri-urban areas of the city, and to resist the encroachment of urban expectations and values.

Specific clauses of the proposed Bylaw

Clause 2. Keeping of goats.

We note that the keeping of goats is a widespread practice and that the proposal that goats may not be kept except by Council permit, and “on such conditions as the Council considers appropriate” is bureaucratic, would be costly to define, to maintain, and to police. Goats are kept for many purposes, the most common being for milk production, for meat production, for weed control and as pets. Although these purposes are not necessarily mutually exclusive, each purpose would potentially require differing conditions. We believe that it is uneconomic, and unnecessary for the Council to acquire and maintain the necessary expertise to implement this part of the Bylaw.

We submit that the wording of this clause should be amended as follows:

2.1 No person may keep a goat, or allow a goat to be kept, unless the person provides adequate and appropriate shelter and all other necessities to maintain the animal(s) in a healthy condition.

Clause 3 Keeping of Poultry

We note with particular concern that this clause of the Bylaw, as drafted, precludes the keeping of free range poultry. Council will be aware that this is an accepted management practice for poultry in both domestic and commercial flocks, and that in a commercial environment, eggs from a free range poultry can command a price premium. We therefore believe that the current wording is inappropriate and would not be adhered to. We would also draw the Council's attention to the impracticality of policing such a bylaw except for large scale commercial operations that would in any case be covered by other legislation and ordinances.

With regards to sub clauses 3.2 and 3.3, we believe that these restrictions unnecessarily restrict those residents with smaller gardens from keeping poultry for their own use at a time when the rising cost of food is making the ability to supplement diet from home produce financially attractive and a necessity for some.

If there are demonstrable health reasons for the distance from a dwelling then the restrictions should apply to the shelter only and not the run. We also believe that the restriction of 2m from a site boundary is impractical and should be dropped.

We submit that the wording of this clause be amended as follows:

3.1 The owner of any poultry must provide the poultry with a shelter that provides safe, clean, and dry conditions for the poultry.

3.2 No person may erect or maintain a poultry shelter that is not a commercial poultry shelter within 10 metres, at its nearest point, of a building (including a dwelling or factory)

3.3 No person may erect or maintain a commercial poultry shelter within 15 metres, at its nearest point, of a building (including a dwelling or factory)

Clause 5 Noise from animals

As noted above, our concern here is the ability of a newcomer to use this clause to restrict or prohibit existing practices and animal husbandry within an area. Roosters crowing at 0400 would be an example.

We submit that this clause should be amended as follows:

5.1 No person may keep an animal that by frequent or long continued noise creates a nuisance by disturbing the quiet enjoyment of people living in the vicinity, except where the noise is one that would not be considered unusual within a rural environment.

Clause 7 Trapping devices.

We fully support the intent to ban the use of gin traps and similar devices. However we note that as drafted the clause would also prohibit the use of spring loaded kill traps such as the Timms trap. We consider that widespread use of poison for pest control is inappropriate in a peri-urban setting and that the Timms trap provides an acceptably humane alternative.

In this case we submit that the wording of the clause should be amended as follows:

7.1 No person may set a trapping device within the urban area of the City.

7.2 No person may set a trapping device that is not designed to humanely kill the catch.

P. Matcham
President