

Maker Statement of Reasons: Animals (Excluding Dogs) Bylaw Review 2026

This document fulfils the requirements of section 21 of the Regulatory Standards Act 2025 to briefly explain Western Bay of Plenty District Council's (Council') reasons for any inconsistency with the principles of responsible regulation identified in the Council's Consistency Accountability Statement, and proposed actions (if any) to remedy that inconsistency.

Maker name	Western Bay of Plenty District Council
Date finalised	27 August 2026

Statement of Reasons

Principle of responsible regulation

The Consistency Accountability Statement has identified the following inconsistencies with the principles of responsible regulation:

- (i) Section 9(a) - the importance of maintaining consistency with the following aspect of the rule of law: - (v) issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion.
- (ii) Section 9(h) - legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review.

Relevant sections of legislation where inconsistencies identified

The inconsistencies identified relate to the following clauses in the bylaw:

- (i) The issue of notices by an Authorised Officer to resite or remove hives, if in the opinion of the Authorised Officer such site has become, or is likely to become a nuisance or injurious to health (clause 1.4); and
- (ii) An Authorised Officer may refuse consent, revoke or cancel a consent, or apply conditions if it decides a poultry house or poultry run is likely to be offensive or dangerous to health (clause 3.2); and
- (iii) Every poultry house within a residential area is to be kept clean and dry and in good repair to the satisfaction of the Authorised Officer (clause 3.4).

Reason for inconsistency and any proposed action to remedy

The discretion afforded to an Authorised Officer enables efficient and effective means to resolve issues and respond to complaints raised in a meaningful way. To date the discretion granted had enabled Authorised Officers to engage with those affected by issues of nuisance arising from animal ownership and the animal owners. Providing both education and guidance to members of the community has been the priority for Authorised Officers, and will continue to be, and no changes are proposed to the bylaw.



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Mayor James Denyer

On behalf of Western Bay of Plenty District Council