KEEPING OF ANIMALS BYLAW

Keeping of Animals Bylaw 2027			
Approved by:	The Council		
Date approved:	TBC		
Date of effect:	TBC	**Reviewed:**	2026
Next review date:	2036	**DOC ID:**	

This bylaw is made by the Dunedin City Council under sections 145 and 146 of the Local Government Act 2002 (LGA 2002).

1.1 *Explanatory note: This bylaw has been assessed for consistency with the principles of responsible regulation in section 9 of the Regulatory Standards Act 2025. See the Dunedin City Council's Consistency Accountability Statement and Summary of Underpinning Analysis at* www.dunedin.govt.nz/regulatory-analysis-documents The bylaw shall be known as the Keeping of Animals Bylaw 2026.

1. APPLICATION

1.1 This bylaw applies to Dunedin City residential and rural-residential zones unless otherwise specified.

Explanatory note: Dog control in Dunedin is addressed in the Dog Control Policy and Dog Control Bylaw.

2. PURPOSE

2.1 The purpose of this bylaw is to protect the public from nuisance and to protect, promote and maintain public health and safety by controlling the keeping of animals.

3. INTERPRETATION

3.1 Explanatory notes are for information purposes, are not part of this bylaw and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

Explanatory note: Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to be updated before the bylaw itself has to be updated.

3.2 The Legislation Act 2019 applies to this bylaw.

3.3 Where not otherwise defined in this bylaw, all words and phrases are as defined in the LGA 2002.

4. DEFINITIONS

4.1 In this bylaw, unless context otherwise requires:

Animal	Has the meaning as defined in the Animal Welfare Act 1999. and also includes insects and invertebrates but excludes dogs and humans.
Council	Means the Dunedin City Council and includes any person authorised by the Council to act on its behalf.
Enclosure	Includes any coop, pen or other structure designed for the purpose of keeping an animal or animals.
Enforcement Officer	Has the same meaning as defined in the Local Government Act.
Keeping of animals	Includes owning, looking after, caring for, or being in charge of, a custodian of, or in possession of, any animal. 'Keep' has a corresponding meaning.
Noise nuisance	Means any noise emitted by an Animal that is of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person, or likely to be injurious to human health.
Nuisance	Has the same meaning as section 29 of the Health Act 1956. *Explanatory note:* *Without limiting the meaning of the term 'nuisance', section 29 of the Health Act 1956 states that a nuisance shall be deemed to be created in any of the following cases, that is to say:* *(a) Where any accumulation or deposit is in such a state or so situated as to be offensive or likely to be injurious to human health;* *(b) Where any premises, including any accumulation or deposit thereon, are in such a state as to harbour or likely to harbour rats or other vermin;* *(c) Where any buildings or premises used for the keeping of animals are so constructed, situated, used, or kept, or are in such a condition, as to be offensive or likely to be injurious to human health;* *(d) Where any animal, or any carcass, is so kept or allowed to remain as to be offensive or likely to be injurious to human health.*
Owner	In relation to any animal, means the person who owns the animal and includes the parent or guardian of a person under the age of 16 years who: (a) Owns the animal; and (b) Is a member of the parent or guardian's household living with and dependant on the parent or guardian.

Person in charge	In relation to any animal, includes a person who has the animal in that person's possession or custody, or under that person's care, control, or supervision.
Residential Land	Means any area zoned "residential" in the Council's operative District Plan.
Rural-Residential Land	Means any area zoned "rural-residential" in the Council's operative District Plan.

5. OBLIGATIONS OF ANIMAL OWNERS

5.1 The owner of any animal must at all times ensure that the animal is kept in a manner that:

(a) Does not or is not likely to cause a nuisance to any person; and

(b) Does not or is not likely to cause a noise nuisance to any person; and

(c) Ensures that the animal is kept in conditions which are not offensive or injurious to human health.

5.2 Every person in charge of an animal shall ensure that the animal is kept in an enclosure or otherwise restrained within the boundaries of the land on which it is kept.

5.3 Clause 6.2 does not apply to a person in charge of cats, pigeons, doves, or bees.

6. KEEPING OF ROOSTERS

6.1 No person shall keep or allow to be kept any rooster on any property zoned Residential, except with the written permission of the Chief Executive or an Enforcement Officer.

7. KEEPING OF CATS

7.1 Every person who keeps cats must ensure that:

(a) Any cat over four (4) months must be microchipped and the cat's microchip registered with the New Zealand Companion Animal Register. Owners must ensure the microchip information is kept up to date; and

(b) Any cat over four (4) months must be de-sexed unless:

i. The cat is kept for breeding purposes; and registered with a nationally recognised cat breeders' body; or

ii. The owner provides a certificate from a veterinarian stating that the de-sexing of the cat will adversely affect its health and/or welfare.

7.2 The requirements of clause 7.1 do not apply to any lawfully established:

(a) Veterinary practice

(b) By the SPCA or a similar registered charity; or

(c) Cat boarding premises; or

(d) Dunedin City Council.

7.3 Clause 7.1 comes into force in relation to existing cat owners on the date that is six (6) months after the commencement of this bylaw.

8. FURTHER CONTROL BY COUNCIL RESOLUTION

8.1 The Council may from time to time resolve to make controls for the keeping of any breed or type of animal.

8.2 The Council must, before making, amending or revoking a control:

(a) Comply with the requirements under Subpart 1 of Part 6 of the Local Government Act 2002; and

(b) Be satisfied that the controls give effect to the purpose of this bylaw.

9. NON-COMPLIANCE

9.1 If the Council considers that any part of this bylaw is not being complied with, it may issue a written notice requiring the owner of the animal or occupier of the land to take such action the Council considers necessary to achieve compliance with this bylaw, specifying the time in which actions must be taken.

9.2 Such actions may include, but are not limited to, limiting numbers, removing certain animals, and prohibiting owners from keeping certain animals.

9.3 The recipient of any notice issued by the Council under clause 9.1 must comply with it by the time specified in the notice.

10. RIGHT OF REVIEW

10.1 Any owner affected by a decision made under this bylaw may apply in writing to the Chief Executive for a review of this decision within 14 days after receiving notification of the decision.

11. GIVING AND CONTENT OF NOTICES

11.1 Any notice under this bylaw that is to be given to an owner must be in writing and may be given by the following means:

(a) By delivering it personally to the owner; or

(b) By leaving it, or sending it by post addressed to the owner, at their usual or last known place of residence; or

(c) By sending it in electronic form to an email address that the owner has specified as an address for service.

11.2 A notice will be deemed to have been received by the owner when:

11.2.1 In the case of personal delivery, when received by the owner;

11.2.2 In the case of post by mail, on the third working day following the date of posting to the owner's last known address;

11.2.3 In the case of email, on the day following the day it was sent.

11.3 Every notice shall specify:

(a) The purpose of the notice; and

(b) The name and address of the Authorised Officer to whom inquiries in respect of the notice may be made; and

(c) If entry on land or premises is intended, the statutory authority for the entry.

12. BREACH OF BYLAW

12.1 A person breaches this bylaw when they:

(a) Breach a provision in this bylaw; and

(b) Fail to carry out any action required by an Authorised Officer; or

(c) Fail to comply with a notice issued under clause 9.

13. PENALTIES

13.1 Any person who breaches this bylaw commits an offence and is liable on conviction to a fine not exceeding $20,000 as set out in the Local Government Act 2002.

13.2 Any property involved in the commission of an offence against the Local Government Act 2002 which includes a breach of this bylaw, may be seized and impounded by the Council in accordance with that Act.

Explanatory note: Sections 165-168 of the Local Government Act 2002 sets out Council powers, conditions of entry onto land involved in the commission of an offence, and the seizure and return of property.

14. ADDITIONAL INFORMATION TO THE KEEPING OF ANIMALS BYLAW

14.1 This additional information does not form part of the bylaw. It contains information to help users understand, use and maintain the bylaw. This information may be updated at any time.

Relevant Legislation:	Includes: Animal Welfare Act 1999 Health Act 1956 Legislation Act 2019 Local Government Act 2002 Resource Management Act 1991

Associated Documents:	Operative Dunedin City Council District Plan
History of bylaw (and related bylaws):	Keeping of Animals Bylaw reviewed in 2026 Keeping of Animals Bylaw made in 2022 Keeping of Animals (excluding Dogs) and Birds Bylaw revoked in 2022 Keeping of Animals (excluding Dogs) and Birds Bylaw made in 2016 Keeping of Animals (excluding Dogs) and Birds Bylaw revoked in 2016 Keeping of Animals (excluding Dogs) and Birds Bylaw made in 2010