

# Submissions to Plan Change 18: Beekeeping in the Residential Zone

Submissions 1 – 16

February 2021

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Send to: Waipā District Council, Private Bag 2402, Te Awamutu 3840

Phone: 0800 924 723 | Fax: 07 872 0033 | Web: [www.waipadc.govt.nz](http://www.waipadc.govt.nz) | Email: [districtplan@waipadc.govt.nz](mailto:districtplan@waipadc.govt.nz)

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

**Note:** You must fill in **ALL** sections of this form.  
Submissions close **5pm Friday, 29 January 2021**

COUNCIL USE ONLY	
Date received	
Document ref:	

1 Submitter details	
Full name of submitter: (required)	Tim O'Neill
Contact name if different from above:	
Contact phone number(s) (mobile optional):	
Postal address: (required)	
Email (optional):	
How would you like us to contact you?	
	By post <input type="radio"/>
	By email <input checked="" type="radio"/>

**Privacy Act Information** - It is a requirement of the legislation for submissions **to be made available to the public.**

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- To arrange a hearing date and time for you to speak (if you choose to).
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2 This is a submission on the following proposed plan change to the Waipā District Plan	
Plan Change Number and Name: (e.g. #1 – Rezoning of 3847 Cambridge Road)	#18 Beekeeping in Residential areas

3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input checked="" type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

4 Attendance at Council hearing		
Select one	<input type="radio"/>	I do
	<input checked="" type="radio"/>	I do not

wish to be heard (attend and speak at the Council hearing) in support of my submission


If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Yes  
 No

5 The specific provisions of the plan change my submission relates to are: (give details)		
Select one	<input checked="" type="radio"/>	I SUPPORT
	<input type="radio"/>	I SUPPORT IN PART
	<input type="radio"/>	I OPPOSE

6 My submission is: (please include the reasons for your view)	
I am a hobbyist beekeeper with two beehives and the proposed change 18 seems to be a sensible one and I support it	

7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)	
as per the "key changes" proposed	

8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)	
Signature of submitter: (or person authorised to sign on behalf of submitter)	 Dated 20-Dec-20



**From:** [IM Shared Mailbox](#)  
**To:** [submissions](#)  
**Subject:** Plan changes - Bee Keeping in Residential areas.  
**Date:** Monday, 21 December 2020 3:35:37 pm

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**From:** [REDACTED]  
**Sent:** Friday, 11 December 2020 1:31 PM

**Subject:** External Sender: PAn changes - Bee Keeping in Residential areas.

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

Could I please put in a submission on the issue of bee hive numbers in Town.

The rules in Waipa should be aligned with the numbers currently permitted under the M.A. F regulations for the management of American Foul Brood. At present hobby beekeepers pay an annual fee for the management of AFB.

The minimum fee is for up to 10 hives in 3 separate bee yards.

My submission is that a hobby beekeeper should be permitted to have 3 hives per residential property to match these rules.

The rules should also accommodate the spring season when hives are “split” to avoid swarming.

Hives are split or swarms are recovered to form “nuc’s” or Nucleases of bees with a QUEEN and a colony of workers.

The rules should reflect the existence of “nucs” and recognise that by the end of the Autumn, these nuc’s will have become full hives. In Autumn they should all be counted as hives however in spring when they are small they should be counted as a half a hive each and 6 nuc’s max. or 3 full hives, should be permitted per property..

James Parlane

1. Submitter details

Full name of submitter: Abigail Owsley

Contact phone number(s) (mobile optional): [REDACTED]

Postal address: [REDACTED]

How would you like us to contact you? email

2. This is a submission on the following proposed plan change to the Waipa District Plan - Plan Change Number and Name:

Proposed Plan Change 18 – Beekeeping in the Residential Zones

3. Trade competition

I could NOT gain an advantage in trade competition through this submission.

I am NOT directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

4. Attendance at Council hearing

I do NOT wish to be heard (attend and speak at the Council hearing) in support of my submission  
If others make a similar submission, I WILL consider presenting a joint case with them at the hearing

5. The specific provisions of the plan change my submission relates to are: (give details) Select one  I SUPPORT

OPTION 3 - a new bylaw

6. My submission

Waipa district council are overly restrictive in their current state, but changes to the district plan is hugely expensive, and not good use of council money. Why not create a bylaw, like practically every other district in New Zealand. I feel that someone in Waipa district council just needs to implement a bylaw like every other council in NZ.

Proposed changes are still very prohibitive, such as not being beside schools (many schools have their own beehives)

Abigail Owsley

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COUNCIL USE ONLY	
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1 Submitter details	
Full name of submitter: <i>(required)</i>	Stephen Richard Parker
Contact name if different from above:	
Contact phone number(s) <i>(mobile optional)</i> :	██████████
Postal address: <i>(required)</i>	██
Email <i>(optional)</i> :	████████████████████
How would you like us to contact you?	
By post <input type="radio"/>	
By email <input checked="" type="checkbox"/>	

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Plan Change Number and Name: <i>(e.g. #1 – Rezoning of 3847 Cambridge Road)</i>	Proposed Plan Change 18 – Beekeeping in the Residential Zones

3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input checked="" type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

# 4

4 Attendance at Council hearing		
Select one	<input type="radio"/>	I do
	<input checked="" type="radio"/>	I do not

wish to be heard (attend and speak at the Council hearing) in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Yes  
 No

5 The specific provisions of the plan change my submission relates to are: (give details)		
Select one	<input type="radio"/>	I SUPPORT
	<input type="radio"/>	I SUPPORT IN PART
	<input checked="" type="radio"/>	I OPPOSE

Option 4: Retain rule that permits beekeeping activities with some controls  
I support that Option 3 should be reconsidered

6 My submission is: (please include the reasons for your view)	
<p>Option 3 is straight forward and used by many councils. A Bylaw should mean Waipa DC don't have to be hindered with heavy administration costs, and neither do beekeepers.</p> <p>However if Option 3 is still not considered the sensible option, which I believe it is, then the proposed Option 4 should be altered as some conditions are not logical or reasonable as I believe that the writer does not fully understand beekeeping practices or bee behaviour.</p>	

7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)	
<p>"3.4.2.13A Beekeeping is permitted if: (a) There are no more than two beehives on a site" Many beekeepers have 4 or more hives within their property inside Hamilton City and don't have issues with their neighbours. Two hives are the minimum that should be kept for good beekeeping, if a queen failed in one hive the other hive can be used to donate to the other. 3 to 4 hives gives greater manoeuvrability.</p> <p>"(b) The beehives are placed at least 5m from the boundary" Replace with hives should be positioned to ensure that their flight path does not cause a nuisance to any neighbouring properties.</p> <p>"(c) The site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly" Remove. Many schools have hives. Bees forage up to 3km from their hive so a hive should have a negligible effect on neighbouring properties.</p>	

8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)	
Signature of submitter: (or person authorised to sign on behalf of submitter)	Stephen Parker  Dated 27/01/21

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1 Submitter details	
Full name of submitter: (required)	George William Payne
Contact name if different from above:	
Contact phone number(s) (mobile optional):	
Postal address: (required)	
Email (optional):	
How would you like us to contact you?	
	By post <input type="radio"/>
	By email <input checked="" type="radio"/>

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Plan Change Number and Name: (e.g. #1 – Rezoning of 3847 Cambridge Road)	Proposed Plan Change 18 - Beekeeping in the residential zones

3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input checked="" type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

4 Attendance at Council hearing			
Select one	<input type="radio"/>	I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input checked="" type="radio"/>	I do not	
If others make a similar submission, I will consider presenting a joint case with them at the hearing.			<input checked="" type="radio"/> Yes <input type="radio"/> No

5 The specific provisions of the plan change my submission relates to are: (give details)			
Select one	<input checked="" type="radio"/>	I SUPPORT	
	<input type="radio"/>	I SUPPORT IN PART	
	<input type="radio"/>	I OPPOSE	

6 My submission is: (please include the reasons for your view)	
<p>I fully support this change to the beekeeping provision in Waipa District Council but feel that the council has taken too simple a route. Here I am referring to the blanket decision that only two hives per property are allowed before requiring a resource consent. Consider a small property e.g. 400 sq.m which is allowed 2 hives compared to a 2000 sq.m property (there are plenty of these in the Waipa urban area) which is also only allowed two hives before requiring a resource consent. It may have been better to have a sliding scale e.g. one hive for each 350 sq.m of land area.</p> <p>It is also important that beekeepers think about the direction their hive entrance points so that it does not direct the bees across the neighbours. In this respect I believe beekeepers should be required to be inspected in just the same manner as fencing for dogs and swimming pools must be inspected.</p>	

7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)	
<p>Approve the change but put in provisions for number of hives per land area, apiary inspection before a bee keeper can locate hives, provide advice for new beekeepers about being good neighbours.</p>	

8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)	
Signature of submitter: (or person authorised to sign on behalf of submitter)	<p>George William Payne</p> <p style="text-align: right;">Dated 28 January 2021</p>



**RECEIVED**  
29 JAN 2021  
BY: LDIX

6



# Plan Change on Waipā District Plan Submission Form

Form 5

*Clause 6 of the First Schedule to the Resource Management Act 1991*

**Send to:** Waipā District Council, Private Bag 2402, Te Awamutu 3840

Phone: 0800 924 723 | Fax: 07 872 0033 | Web: [www.waipadc.govt.nz](http://www.waipadc.govt.nz) | Email: [districtplan@waipadc.govt.nz](mailto:districtplan@waipadc.govt.nz)

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Submissions close **5pm Friday, 29 January 2021**

1 Submitter details	
Full name of submitter: <i>(required)</i>	ROSEANNE CADMAN
Contact name if different from above:	
Contact phone number(s) <i>(mobile optional):</i>	
Postal address: <i>(required)</i>	
Email <i>(optional):</i>	
<div style="float: right;"> <p>How would you like us to contact you?</p> <p>By post <input checked="" type="radio"/></p> <p>By email <input type="radio"/></p> </div>	

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Plan Change Number and Name: <i>(e.g. #1 – Rezoning of 3847 Cambridge Road)</i>	# 18: Beekeeping in the residential zones

3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input checked="" type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

*Please complete the reverse side of this form*






4 Attendance at Council hearing	
Select one	<input type="radio"/> I do <input checked="" type="radio"/> I do not
wish to be heard (attend and speak at the Council hearing) in support of my submission	
If others make a similar submission, I will consider presenting a joint case with them at the hearing.	
<input type="radio"/> Yes <input checked="" type="radio"/> No	

5 The specific provisions of the plan change my submission relates to are: (give details)	
Select one	<input type="radio"/> I SUPPORT <input checked="" type="radio"/> I SUPPORT IN PART <input type="radio"/> I OPPOSE
Restriction to 2 hives per property	

6 My submission is: (please include the reasons for your view)
<p>A responsible beekeeper will make nucleus colonies to prevent swarming. provision needs to be included to allow time to sell / rehome these rather than considering them a separate hive.</p>

7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)
<p>- That there be no more than 2 beehives and 2 nucleus colonies on a site</p> <p>- that nucleus colonies are not more than 3 months old.</p>

8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)	
Signature of submitter: (or person authorised to sign on behalf of submitter)	
	Dated 29/01/21

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Submissions close **5pm Friday, 29 January 2021**

COUNCIL USE ONLY	
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Document ref:	

1 Submitter details		
Full name of submitter: (required)	Doug McCauley	
Contact name if different from above:		
Contact phone number(s) (mobile optional):		
Postal address: (required)	[REDACTED]	How would you like us to contact you? By post <input type="radio"/> By email <input checked="" type="radio"/>
Email (optional):	[REDACTED]	

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3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input checked="" type="radio"/> I am <input type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

#### 4 Attendance at Council hearing

Select one	<input type="radio"/>	I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input checked="" type="radio"/>	I do not	

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Yes  
 No

#### 5 The specific provisions of the plan change my submission relates to are: (give details)

Select one	<input type="radio"/>	I SUPPORT
	<input checked="" type="radio"/>	I SUPPORT IN PART
	<input type="radio"/>	I OPPOSE

#### 6 My submission is: (please include the reasons for your view)

I support the basis of the proposed plan change 18 however I feel some points require revisiting or amending.

1/ The hive number maximum is quite restrictive while not actually providing any real increased protection to surrounding areas from nuisance bees. Bees are only a nuisance when hives are placed in an inappropriate way/direction/location. To this point max numbers could be done away with which would save unnecessary time and money for all parties consenting. Nuisance apiaries can still be regulated if they actually become a nuisance. If a max number of hives had to be made 6-8 should be easily feasible esp on a mid sized lot. Hobby beekeepers will often run 4+ hives.

2/ The regulation of lot size seems unnecessary however the plan change could be clearer on what defines a larger lot.

It would make sense for compliance officers to have some training in apiary management to be able to help beekeepers if required rather than impede them with compliance notices.

#### 7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)

- 1/ Review max hive number limits - remove or amend
- 2/ Better describe lot sizing parameters if not removed.
- 3/ Consult with beekeeping community to get accurate relevant knowledge
- 4/ Make sure field staff are suitably trained to be able to form an opinion on apiaries

#### 8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)

Signature of submitter:  
(or person authorised to  
sign on behalf of submitter)



Dated 28-01-2021

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

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1 Submitter details	
Full name of submitter: (required)	Valerie El-Gamel and Adam El-Gamel
Contact name if different from above:	
Contact phone number(s) (mobile optional):	[REDACTED]
Postal address: (required)	[REDACTED]
Email (optional):	[REDACTED]
How would you like us to contact you?	
	By post <input type="radio"/>
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3 Trade competition		
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Select one	<input checked="" type="radio"/> I am <input type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition



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	<input checked="" type="radio"/> I do not	

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Yes  
 No

**5 The specific provisions of the plan change my submission relates to are: (give details)**

Select one	<input type="radio"/> I SUPPORT	
	<input type="radio"/> I SUPPORT IN PART	
	<input checked="" type="radio"/> I OPPOSE	

**6 My submission is: (please include the reasons for your view)**

In todays world where our honey bee is in serious decline, this change you are proposing will not do anything to support the bee. it will also prevent local pollination of our trees and dare i say roses. Moving in this direction is leaving us all at the mercy of commercial bee keepers for our honey.

Most bee keepers have undertaken education and training in order to be the best beekeeper possible, we have sat the DECA for which we have studied for months. We are in a well supported position via the Waikato Bee Keepers association, MPI and of course through our tightly knit local bee keeping groups.

Fewer bees fewer food its that basic. If you take time to study bee activity you will see that the honey bee is not aggressive, and any sting which may be experience is born out of an accident, no bee will every start the day with the intention of stinging.

**7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)**

We wish the council opt for option 4, that permits beekeeping activities with some controls

**8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)**

Signature of submitter: (or person authorised to sign on behalf of submitter)	Dated
--	-------





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Form 5

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1 Submitter details	
Full name of submitter: <i>(required)</i>	<i>Theresa Shephard.</i>
Contact name if different from above:	
Contact phone number(s) <i>(mobile optional):</i>	[REDACTED]
Postal address: <i>(required)</i>	[REDACTED]
Email <i>(optional):</i>	[REDACTED]
How would you like us to contact you?	
	By post <input type="radio"/>
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3 Trade competition		
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Please complete the reverse side of this form





**4 Attendance at Council hearing**

Select one	<input type="radio"/> I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input type="radio"/> I do not	

If others make a similar submission, I will consider presenting a joint case with them at the hearing.  Yes  No

**5 The specific provisions of the plan change my submission relates to are: (give details)**

Select one	<input type="radio"/> I SUPPORT	That the Rules relating to Beekeeping are not fit for purpose + should be removed not requiring permitting.
	<input type="radio"/> I SUPPORT IN PART	
	<input checked="" type="radio"/> I OPPOSE	

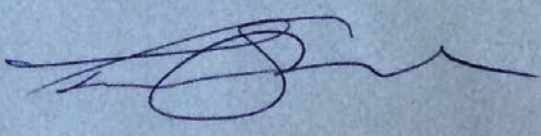
**6 My submission is: (please include the reasons for your view)**

Personally I would prefer option 3 - which is to have a by-law as part of the animal nuisance rule. (Most other councils have this) Wanganui have by-laws that provide a good example. Bees are necessary in our urban environments especially for pollination services.

**7 I seek the following decision/s from Council: (give precise details - e.g. what you would like the wording of a specific provision (or map) to be changed to)**

Please see Q6.

**8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)**

Signature of submitter: (or person authorised to sign on behalf of submitter)		Dated 28.1.21
--	--	---------------




- yours state 3 major points what are they?
- a) Any hives located within the District shall be registered under the Biosecurity Regulations. NB: Registering hives may be completed through the National AFB Pest Management Agency website: [www.afb.org.nz](http://www.afb.org.nz)
  - b) In all areas within the District, any person keeping bees or permitting bees to be kept on their Premises shall ensure that no Nuisance is caused to other persons by those bees.
  - c) Where an Authorised Council Officer considers a hive to be dangerous, offensive or likely to be injurious to people the Authorised Council Officer may require the removal of such a hive.
  - d) In all other areas within the District no hive shall be kept less than 40 metres from any boundary, roadside, Public Place or right of way unless Council has provided its written approval.
  - e) Location of hives within an Urban Area section of less than 2000 m<sup>2</sup> must comply with the following:
    - a. Hives that are shielded by a fence or suitably dense vegetation not less than 1.8 metres high may be located no closer than 3 metres from a footpath;
    - b. Hives that are shielded by a building, or a fence or suitably dense vegetation not less than 1.8 metres high may be located no closer than 10 metres from a neighbour's principal building;
    - c. A shielding plan shall be provided to ensure that the bees flight path is made to go a minimum of 1.8 metres high over the adjacent property, or road.

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

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Document ref:	

**Note:** You must fill in **ALL** sections of this form.  
Submissions close **5pm Friday, 29 January 2021**

1 Submitter details	
Full name of submitter: <i>(required)</i>	
Contact name if different from above:	
Contact phone number(s) <i>(mobile optional):</i>	
Postal address: <i>(required)</i>	 <input type="checkbox"/> <small>ke ?</small>
Email <i>(optional):</i>	<input type="checkbox"/> By email

**Privacy Act Information** - It is a requirement of the legislation for submissions **to be made available to the public.**

Your contact details are collected:

- To arrange a hearing date and time for you to speak (if you choose to).
- So the Council can write and inform you of the decision(s) on your submission(s).

**Your name and address will be publicly available.**

Your personal contact details (e.g. mobile and email address) will only be used for the above purposes and otherwise kept confidential. You have the right to correct any errors in personal details contained in your submission.

2 This is a submission on the following proposed plan change to the Waipa District Plan	
Plan Change Number and Name: <i>(e.g. #1 – Rezoning of 3847 Cambridge Road)</i>	

3 Trade competition			
Select one	<input type="radio"/>	I could	gain an advantage in trade competition through this submission.
	<input type="radio"/>	I could not	
Select one	<input type="radio"/>	I am	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition
	<input type="radio"/>	I am not	

4 Attendance at Council hearing			
Select one	<input type="radio"/>	I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input type="radio"/>	I do not	
If others make a similar submission, I will consider presenting a joint case with them at the hearing.			<input type="radio"/> Yes <input type="radio"/> No

5 The specific provisions of the plan change my submission relates to are: (give details)			
Select one	<input type="radio"/>	I SUPPORT	
	<input type="radio"/>	I SUPPORT IN PART	
	<input type="radio"/>	I OPPOSE	

6 My submission is: (please include the reasons for your view)	

7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)	

8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)	
Signature of submitter: (or person authorised to sign on behalf of submitter)	Dated

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

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Submissions close **5pm Friday, 29 January 2021**

1 Submitter details	
Full name of submitter: <i>(required)</i>	
Contact name if different from above:	
Contact phone number(s) <i>(mobile optional)</i> :	
Postal address: <i>(required)</i>	<div style="background-color: black; width: 100%; height: 20px;"></div>
Email <i>(optional)</i> :	<div style="background-color: black; width: 100%; height: 20px;"></div>
<b>How would you like us to contact you?</b> By post <input type="radio"/> By email <input type="radio"/>	

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2 This is a submission on the following proposed plan change to the Waipa District Plan	
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3 Trade competition		
Select one	<input type="radio"/> I could <input type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

4 Attendance at Council hearing			
Select one	<input type="radio"/>	I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input type="radio"/>	I do not	
If others make a similar submission, I will consider presenting a joint case with them at the hearing.			<input type="radio"/> Yes <input type="radio"/> No

5 The specific provisions of the plan change my submission relates to are: (give details)			
Select one	<input type="radio"/>	I SUPPORT	
	<input type="radio"/>	I SUPPORT IN PART	
	<input type="radio"/>	I OPPOSE	

6 My submission is: (please include the reasons for your view)	

7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)	

8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)	
Signature of submitter: (or person authorised to sign on behalf of submitter)	Dated





To Whom It May Concern:

Re: Submission to Waipā District Council - Proposed Plan Change 18 and Section 32 Report.

I am a hobbyist beekeeper of 4 years. I have 8 hives spread over 3 apiary sites – 2 x rural and one residential. The residential hive is the only legally consented hive within the Waipā district, having gone through the resource consent process in October 2019. I found the WDC council staff very good to deal with throughout this process, but I found the overall process time consuming and expensive. Additionally, the specifics within the resource consent contained a lot of details that weren't relative to beekeeping, so I am very much in agreement that this district plan change is taking place.

In regards to the proposed options around this issue, I have outlined my responses below;

- **Option 1:** Do nothing
  - **This is not viable.** WDC has made this clear in the proposed plan change that the current regulations are inefficient.
- **Option 2:** Delete the rules and provide no replacement
  - **This is not viable.** I believe that there does need to be some sort of replacement, to ensure that beekeeping is being undertaken safely within residential zones.
- **Option 3:** Delete the current rules and replace with a bylaw
  - **This is my favoured option, for the following reasons.**
    - This is consistent with the practise of many other councils.
    - If there is a clear process for complaints, there is no reason why any nuisance effects of beekeeping can't be managed under a bylaw. To do so would benefit the Council, as bylaws are simpler to adjust than a district plan ruling, and for beekeepers – as there would be less process involved if wanting to undertake this hobby.
    - On Pg 27 of the *Proposed Plan Change 18 and Section 32 Report - Notified 4 Dec 2020*, the report states;

*'While Option 3 is consistent with the practice of many other Councils, it is limited in terms of enforcement, with Court prosecution being the only tool available for low-level infringement.'*

- In response to this – the need for enforcement due to infringement is unnecessary. If beehives are placed and maintained correctly (which all NZ registered beekeepers are required to do as part of being part of the NZ Apiary register) any potential nuisance from a beehive is minimal, therefore the need to enforce would be minimal. Any responses to nuisances could be managed the same way that nuisance dogs are managed – whereby upon the receipt of a complaint, a WDC inspection officer deals directly with the affected parties

and resolves the problem through a conversation resulting in a resolution that suits both parties.

- For example; Below is an excerpt from pg 7 of WDC’s *Dog Control Bylaw 2015*
- ‘3.10.1. The owner of any dog that has not been kept under their control on two or more occasions in any 12 period may be required by Council or a Delegated Officer to have that dog neutered, whether or not the owner of the dog has been convicted of an offence against Section 53 of the Act.’
- 
- Now – here is the same clause, with the word “dog” replaced with “beehive”, and the word “neutered” replaced with “removed”
- ‘3.10.1. The owner of any ~~dog~~ beehive that has not been kept under their control on two or more occasions in any 12 period may be required by Council or a Delegated Officer to have that ~~dog~~ beehive ~~neutered~~ removed, whether or not the owner of the ~~dog~~ beehive has been convicted of an offence against Section XX of the Act.’
- As with the control of dogs, the management of any nuisance is done effectively on a reactive basis. I suggest that the same model be used for bees.
- **Option 4:** Retain rule that permits beekeeping activities with some controls
  - **This option is not viable.** Having beekeeping written into a district plan is a drastic measure for what is clearly a low-nuisance activity. Over the past two years, there has been six complaints. Considering there are 363 hives in Waipā, this is a very low complaint to hives percentage – just 0.83%.
  - If there are rules in the district plan that would mean beekeeping requiring any kind of consent or permit with the WDC – this would need to be consistent across all registered beehives in the Waipā District to make it fair and effective. With 363 hives in the Waipā district, this would create a large amount of work for Council workers, and require expert knowledge of beekeeping to put into effect properly. This would incur more fees to gain advice from suitable subject matter experts, on all of the 363 hives.

### Other general notes around this proposed change:

#### Sensitive receiving environments

- On page 5 of the *Proposed Plan Change 18 and Section 32 Report - Notified 4 Dec 2020*, the report states;  
‘... it is recognised that beekeeping activities may, on occasion, result in potential effects where:



▪ *They are located too close to sensitive receiving environments (e.g. houses, schools, neighbourhood reserves etc)'*

- In response to this – this is not in line with the realities of bee behaviour. Bees can fly anywhere within a 5 km radius of their hive. Because of this, where a hive is situated does not affect the immediate density of bees except for a 2m space directly in front of the hive. Once away from the front of the hive, bees fly up into the sky - well above the heads of humans, and spread out in the 5km radius.

For example, if a hive was placed on the boundary of school fence, there would be no difference to the number of bees flying over the school's area than if the hive was placed one property over from the school boundary, or even 1 km away from the school – the bees fly to wherever the food sources are (flowers), and are not interested in humans.

- Additionally, Te Awamutu Primary School has 2 active beehives on their school grounds. These hives are part of the “TAPS Enviro Warriors” Initiative, where a small group of students learn crucial skills like looking after chickens, gardening, and beekeeping. (See the below picture of some TAPS Enviro Warrior students working directly with the bees).

Below: Te Awamutu Primary School Students – ‘Enviro Warriors’ working with the beehives on the school grounds.



- With this above example in mind, to say that a school is a sensitive receiving environment is clearly not correct – if this was the case, the school would not have beehives on their grounds, let alone allow the children to work with the beehives.

## Residential beehive criteria

- On page 5 of the *Proposed Plan Change 18 and Section 32 Report - Notified 4 Dec 2020*, the report states;

*‘The effect of Proposed Plan Change 18 would be that beekeeping activities would be permitted under the Waipa District Plan, and resource consent would no longer be required for up to two beehives provided they meet the following criteria, for the Residential Zone and Large Lot Residential Zone.*

*Residential Zone:*

- *▪ There are no more than two beehives on a site; and*
  - *▪ The beehives are placed at least:*
    - *- 3m from a boundary if there is a solid fence of at least 1.8m on that boundary; or*
    - *- 5m from a boundary if there is no solid fence of at least 1.8m on that boundary; and*
  - *▪ The site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly; and*
  - *▪ The site is 500m<sup>2</sup> or greater.’*
- In response to these criteria;
    - *There are no more than two beehives on a site;*
      - The two beehive per site would not allow a beekeeper to manage their hives properly. Being able to split hives in spring (turn one hive into two) is crucial for swarm prevention. If a beekeeper is limited to two hives only, they will struggle to keep their hives from swarming. This Council-set criteria would severely increase the risk of nuisance caused by bees, therefore, I do not recommend this criteria existing in any form of legislation around beekeeping.
    - *The beehives are placed at least:*
      - *- 3m from a boundary if there is a solid fence of at least 1.8m on that boundary; or*
      - *- 5m from a boundary if there is no solid fence of at least 1.8m on that boundary;*
    - Hives should not be placed away from boundaries. This distance of hive placement from a boundary is incorrect for the practise of beekeeping, and will make it much harder for a residential beekeeper to find a suitable place for a hive. Beehives need to be placed with the rear of the hive sitting right up against a fence (i.e 0.2m – 0.5m away) and the hive entrance must be facing inwards from the fence (i.e into the owner’s property). Beehives also need

shade which is often gained from a high fence. Having them 3-5m away from a fence will not be good for the health of the hive in warmer seasons, and will increase the likelihood of the bees swarming and/or dying.

- The height criteria of 1.8m is correct, as this will force the bees to fly up above the height of humans immediately, however the fence does not need to be solid. On my property, my fence is a 1.2m board fence topped with 600mm of 70mm trellis. The bees do not try to fly through trellis, they fly right over the top of it.

▪ *The site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly; and*

- This criteria does not make sense when considering the flight radius of a bee. See above comments on sensitive receiving environments.

▪ *The site is 500m<sup>2</sup> or greater.*

- The size of a residential site is irrelevant to having a beehive on the property. What is probably more important is the land-to-dwellings ratio. Beehives only need about 2.5m of space to exist and operate. This allows for enough room to fit a 0.17 m<sup>2</sup> beehive and provide enough space at the front of the hive for the bees to fly up and down from the entrance. Similar to the above comments on sensitive receiving environments, the flight radius of a bee is much bigger than 500m<sup>2</sup>.

### **Enforcement and Registration**

- It is clear from the report: *Proposed Plan Change 18 and Section 32 Report - Notified 4 Dec 2020*, that Waipā District Council is very interested in enforcement. In my opinion, enforcement will not be commonly necessary if the hives are placed and managed properly. A key factor to this being a success is WDC knowing about the hives existing, and where they are located.

I suggest that WDC consider working with The Management Agency, who are the NZ governing body on Apiary registration and disease control. The Management Agency have in-depth registration information and specific knowledge about beehive management that WDC should consider using to assist in the control of beekeeping in residential areas.

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

COUNCIL USE ONLY	
Date received	
Document ref:	

**Note:** You must fill in **ALL** sections of this form.  
Submissions close **5pm Friday, 29 January 2021**

1 Submitter details	
Full name of submitter: (required)	Phil Evans
Contact name if different from above:	
Contact phone number(s) (mobile optional):	
Postal address: (required)	
Email (optional):	
How would you like us to contact you?	
By post	<input type="radio"/>
By email	<input checked="" type="checkbox"/>

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- So the Council can write and inform you of the decision(s) on your submission(s).

**Your name and address will be publicly available.**

Your personal contact details (e.g. mobile and email address) will only be used for the above purposes and otherwise kept confidential. You have the right to correct any errors in personal details contained in your submission.

2 This is a submission on the following proposed plan change to the Waipa District Plan	
Plan Change Number and Name: (e.g. #1 – Rezoning of 3847 Cambridge Road)	#18 - Beekeeping in the Residential Zones

3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="checkbox"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input checked="" type="checkbox"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

**4 Attendance at Council hearing**

Select one	<input checked="" type="checkbox"/> I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input type="checkbox"/> I do not	

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Yes  
 No

**5 The specific provisions of the plan change my submission relates to are: (give details)**

Select one	<input type="checkbox"/> I SUPPORT	Please see my written submission, as I support, support in part, and oppose different parts of the proposed options.
	<input checked="" type="checkbox"/> I SUPPORT IN PART	
	<input type="checkbox"/> I OPPOSE	

**6 My submission is: (please include the reasons for your view)**

I support Option 3 - please see my attached submission, which includes Hamilton City Council's Animal Nuisance Bylaw 2013


**7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)**

I would like to see Waipa District Council create and implement an Animal Nuisance Bylaw to deal with complaints about bees, similar to that used by Hamilton City Council.

(See attached)

This submission form  
Main Submission document  
Copy of HCC Animal Nuisance Bylaw

**8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)**

Signature of submitter: (or person authorised to sign on behalf of submitter)	Phil Evans 	Dated 29/01/2021
--	---	------------------

**SUBMISSION to Proposed Plan Change 18 – Beekeeping in Residential Zone and Large Lot Residential Zone**

A few years ago, I was contemplating putting a beehive on a friend's property in Te Awamutu, and on contacting Waipa District Council (WDC) found the rules extremely restrictive and costly, so decided not to proceed.

In late 2019, I started assisting a fellow beekeeper in Te Awamutu who had discovered a potential new neighbour was asking questions of WDC about his bee hives. That started a process of discovery into what I can only describe as a marathon journey to try and work out what the actual rules for beekeeping in residential areas were. There are bits of rules in numerous parts of the District Plan (DP). It was unnecessarily complicated.

Over the next few months, I slowly worked out how it all fitted together, and what it actually meant for hobby beekeepers. It was clear a Resource Consent was required, and an initial deposit of \$2100 was required to start the process. My colleague got hold of the Resource Consent application, and had to hire a lawyer to work out how to fill it in. Clearly this was an absurd waste of time and money, and I started to enquire how to go about getting the existing rules changed to something reasonable. At that time I was not aware that not a single application had been applied for, or granted, yet I knew there were hundreds of hives in both towns.

From October 2019, to early March 2020, numerous phone calls, emails and meetings got to a point where WDC Councillors agreed to discuss the rules in the DP, and it was agreed on 3rd March 2020 at the WDC Strategy & Policy Meeting to undertake a formal review.

I have read through the Proposed Plan Change 18, and I am hoping Council staff will seriously consider all beekeeper submissions in a proactive light. When the beekeeping rules were reviewed back in 2012-2014, 11 submissions were received, with 9 being from beekeepers and the local Bee Club. It was apparent that those 9 submissions were largely ignored, and the remaining 2 submissions given more weight, even though both submitters admitted they had had no personal experience of either of the issues they each raised.

Clause 4.10.1 on 74 of the Section 42A Report 9 in 2012/14, clearly indicates the reality of beekeeping, from beekeepers, yet this was completely ignored by Council at the time.

I am hoping that this time around, WDC will take experienced beekeepers submissions seriously, and remove the unnecessary barriers WDC seems compelled to create.



# 12

## **Option 1 – Do nothing**

I agree that this is not viable

## **Option 2 – Delete the rules and provide no replacement**

I partially believe this option has some merit, based on the fact that most Councils in NZ have no real issues between beekeepers and neighbours.

## **Option 3 – Delete the current rules and replace with a bylaw**

I agree with this option.

Clause 5.3.3 in the Section 32 report outlines all the very valid reasons for using a bylaw.

- Retains the ability to manage nuisance effects
- Provides a clear complaints process and enforcement powers for Council
- Falls within Council powers under the Local Government Act
- Provides an easier dispute resolution process than going through the courts
- Most other Councils manage bees through Bylaws, than District Plans
- **It is limited in terms of enforcement, with Court prosecution being the only tool available for low level infringement**
- **Not recommended due to limited ability of enforcement and restrictive criteria which cannot be varied.**

The last two points from that clause highlight how disconnected WDC is with the reality of keeping bees, and there seems to be a generic “all rules MUST contain maximum enforcement option regardless of issue”.

In the Section 42A report written in 2012/13, the primary reason for ignoring the majority of submitters was about enforcement. Clause 4.10.3 goes into depth about the potential this, and possible that, relating to adverse effects, stings, allergies, swarms, concerns from neighbours about proximity of hives. While I agree that these issues are possible, they are rare, and should not form the basis of the new rules.

Not a single Council in NZ, has ever come even remotely close to even thinking about prosecuting any beekeeper for ANY reason. With the agreement that the existing rules are not fit for purpose, would it not be prudent for Council to learn from the errors made in the 2014 review and create rules that actually relate to beekeeping, and not this unnecessary desire to take people to court.

A Bylaw for Animal Nuisance, such as that used by Hamilton City Council, (which I have attached), is by far the most logical and sensible option. HCC does not restrict numbers of



hives, nor define location of hives on urban properties, simply because they are not needed. Waipa is 1 of only 3 Councils (out of 67) that restrict hive numbers and locations like this and Waipa is alone in the severity of its rules. The Council has the chance with this current process to create new rules that work for beekeepers, and reduce the workload of Council staff. Option 3 does that. Option 4 requires enforcement of the rules, a significant undertaking given the number of apiaries and hives in Te Awamutu and Cambridge.

### **Infringement and Nuisance Enforcement**

In the last 7 years, Hamilton City Council has never once even come close to prosecuting any beekeeper for nuisance to neighbours, and neither has any other Council in NZ. The few complaints have all be dealt with through discussion between beekeeper and neighbour. No 'enforcement' of any kind has ever happened. From previous discussions with WDC staff, the same applies in this region. Your own data confirms that heavy handed enforcement is not needed.

The proposed Option 3 states Court prosecution being the only tool available for low level infringement. Please read Hamilton City Council's Animal Nuisance Bylaw. It has 1.5 pages of infringement penalties. The whole document is only 4 pages and covers ALL animals except dogs. Please take heed of this document. It is very simply, easy to modify if needed, and the most realistic for beekeepers AND Council.

### **Hive Numbers and Locations**

There is no need to restrict beehive numbers, or to define locations. A simple recommendation would be a 1.8 metre fence height around beehives. This could be 600mm trellis attached to the top of existing 1.2 meter high fences. Bees will fly up and over the 2 metre fence, and do not drop down unless there are flowers with nectar and pollen, and only a few bees will go there. But those bees could be from any hive up to 4km away. The rest will stay above head height and never bother the neighbours.

Hives can be pushed up against the adjoining fence or sitting 20 meters away. The bees still go up and over, and don't drop down unless there are flowers.

I have 13 immediate neighbours around my 2 metre high fence line. During the first 2 years keeping bees, only 1 of those neighbours knew I had hives at all. In the 3<sup>rd</sup> year, 2 other neighbours became aware of the bees when they swarmed, and were happy to stand right in the middle of their back yards with 10's of thousands of bees buzzing around them. If you haven't witnessed that, you definitely should. Bees are at their most docile when swarming.

### **Distance from Sensitive Areas**

Placing restrictions on proximity to sensitive areas (schools, parks etc) will cause problems. Many schools have beehives on their grounds which the pupils manage, with supervision, and given the foraging distance for bees can be up to 3-4km's, restricting hives adjacent to

them achieves nothing. Hives 2 sections over from a park or school is exactly the same as one right next door, or on the grounds of the school or reserve. Any restriction would need to be a minimum of 4km, which would wipe out all beehives in and around a wide area of both Cambridge and Te Awamutu. That would then require an Option 5 to be implemented, banning all hives in both towns, as well as 5km out into rural Waipa.

## **Animal Nuisance Bylaw**

Hamilton City Council's current Animal Nuisance Bylaw consists of just 4 pages, with 1 page for the Index, and 1.5 pages relating to enforcement provisions, which include fines or seizure of animals where the owner has repeatedly ignored requirements to mitigate nuisance. Note that HCC has never used any enforcement on any beekeeper, ever, and I have been unable to find any other Council in NZ that has ever come close to prosecuting any beekeeper.

I have attached a copy of the HCC Bylaw document with this response. It is used to manage nuisance for all animals in Hamilton where there are approximately 1500 hives registered with the Pest Management Plan.

## **Option 4 – I do not agree with this option.**

As with the existing rules, enforcement seems to be a big issue for WDC, but has never been necessary anywhere in New Zealand. WDC is alone in its obsession with enforcement within these rules. It was the primary issue in the development of the current rules, and completely out of proportion with the reality of beekeeping and neighbour concerns.

As has been mentioned in the Proposed Plan Change 18 report, there are literally hundreds of hives within Waipa residential areas with ZERO real issues, other than less than a handful of minor complaints, all of which were resolved without any need for formal proceedings.

The vast majority of beekeepers will work with neighbours to mitigate concerns so they can keep the hives where they are. I doubt any beekeepers wants Council to forcefully remove hives because a neighbour got a sting. I have met many people who are severely allergic to bees, yet have hives on larger properties. They manage the risks.

The need to restrict hive numbers or locations is completely unnecessary, making the need to include beekeeping in the District Plan also unnecessary.

Requiring resource consent to add additional hives is also unfair, and not necessary. Beekeepers and neighbours are more than capable of working that out. It is expensive and time consuming, and as has been shown, is subject to complete non-compliance. Only 1 consent applied for over 5 years under existing rules.

It is suggested that WDC think very carefully about the need for the heavy handed approach with Option 4. Given that the vast majority of Councils use Animal Nuisance Bylaws should

say something to WDC. You could insist on voting for option 4, but you would remain on your own with heavy handed, resource hungry, not fit for purpose regulations, which you have admitted are no longer fit for purpose. Option 4 is just tinkering with the current rules.

I offer any WDC staff member or Councillor to come to my property in Hamilton, on a warm sunny afternoon when my hives are at their busiest and witness the reality of bees and beekeeping.

Hopefully you will see the easiest and best option would be to put together a Bylaw, like HCC's Animal Nuisance Bylaw, require a 1.8m fence around the hives (or section if needed) and be done with it and get on with running the important aspects of your region. Leave beekeepers alone to enjoy their bees, and a few jars of honey from their hives.

Thank you  
Phil Evans

*Documents included in submission:*

Submission Form

Submission – this document

Hamilton City Council - Final Animal Nuisance Bylaw 2013 Adopted 23 May 2013

<b>Approved By: Council</b>	<b>Date Adopted : 23 May 2013</b>
<b>Date In Force: 1 July 2013</b> <b>section 8.2 1 November 2013</b>	<b>Review Date: 1 July 2023</b>

## HAMILTON CITY ANIMAL NUISANCE BYLAW 2013

This bylaw is made by the Hamilton City Council under the powers given to it by the Local Government Act 2002 and any amendments to that act.

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## 1. PREAMBLE

- 1.1. The purpose of this bylaw is to ensure that the keeping of animals, birds and bees within the Council's boundaries does not create a nuisance and if a nuisance does arise then the Council has appropriate regulatory powers to take relevant action.

## 2. SHORT TITLE

- 2.1. This bylaw may be cited as the Hamilton City Animal Nuisance Bylaw 2013.

## 3. REVOCATION OF EXISTING BYLAWS

- 3.1. The Hamilton Animal Nuisance Bylaw 2008 is hereby revoked.
- 3.2. All matters and proceedings commenced under the bylaw listed in section 3.1 and pending or in progress on the coming into operation of this bylaw may be continued, completed and enforced under this bylaw.

## 4. PURPOSE

- 4.1. The purposes of this bylaw are:
- a) protecting the public from nuisance,
  - b) protecting, promoting, and maintaining public health and safety; and
  - c) regulating the keeping of animals.

## 5. SCOPE

- 5.1. This bylaw shall apply to the keeping of animals on private property in the district of Hamilton City Council.

## 6. COMPLIANCE WITH OTHER ACTS

- 6.1. This bylaw is in addition to, and should be read in conjunction with, relevant legislation, regulations and guidelines for maintaining public health, keeping animals, animal welfare and agricultural practices. Persons who keep animals must comply with the requirements of the National Animal Welfare Advisory Committee (NAWAC) of the Ministry of Agriculture and Forestry for animal welfare issued under the Animal Welfare Act 1999, and any other applicable legislation, regulations or bylaws.

## 7. DEFINITIONS

- 7.1. In this bylaw except where inconsistent with the context:

- Animals**
- a) Means any live member of the animal kingdom that is:
    - I. A mammal; or
    - II. A bird; or
    - III. A reptile; or
    - IV. An amphibian; or
    - V. A fish (bony or cartilaginous); or
    - VI. Any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or
    - VII. Any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of this Act; and
  - b) Includes any mammalian foetus, or any avian or reptilian pre hatched young, that is in the last half of its period of gestation or development;

and

- c) Includes any marsupial pouch young
- d) Includes bees; but
- e) Does not include:
  - I. A human being; or
  - II. Except as provided in (b) or (c) of this definition, any animal in the pre-natal, pre-hatched, larval, or other such development stage;
  - III. A dog.

**Authorised Officer** Means an employee or contractor of the Hamilton City Council appointed or authorised to carry out general or specific duties arising from any of the provisions of this bylaw, and includes a Police Officer and any enforcement officers appointed and warranted by Council under the Local Government Act 2002.

**Council** Means Hamilton City Council.

**Enforcement Officer** Means the same as Authorised Officer.

**Nuisance** Without limiting the meaning of the term nuisance, a nuisance shall be created by an animal causing unreasonable trouble or annoyance, or unreasonable interference with the peace, comfort or convenience of any person or persons.

Without limiting the meaning of the term “nuisance”, 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.
- b) 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.
- c) The term “nuisance” means any noise emitted by an Animal that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person.

## 8. KEEPING OF ANIMALS

- 8.1. Every person who owns or keeps any animal on private property must ensure that the animal:
  - a) Does not create a nuisance to any person; and
  - b) Is kept in conditions that do not create a nuisance to any person.
- 8.2. No person shall keep a rooster in any part of the district of Hamilton without the prior written approval of an authorised officer. Approval if given may be subject to conditions.
- 8.3. Without limiting clause 8.1, no person may keep any animal on the premises, if in the opinion of the authorised officer, the keeping of such animals is causing a nuisance.

## 9. ENFORCEMENT

- 9.1. Where an authorised officer has reasonable grounds for suspecting that a nuisance exists, an authorised officer may, by written notice, require the owner or person keeping the

animal to take such action as the authorised officer considers necessary to mitigate or eliminate the nuisance within a timeframe specified in the notice.

- 9.2. An authorised officer may seize or impound any animal causing a nuisance if the owner or person keeping the animal has not adequately mitigated or eliminated the nuisance within the timeframe specified in the written notice issued by the authorised officer under clause 9.1 above.

**10. PENALTIES AND OFFENCES**

- 10.1. A person commits a breach of this bylaw who:
  - a) Permits or allows any condition to exist or continue to exist contrary to this bylaw;
  - b) Fails to comply with any lawful notice of direction given under this bylaw.
  - c) Where required, fails to obtain written approval or having obtained written approval fails to abide by the conditions (if any).
- 10.2. Obstructs or hinders any authorised officer in the performance of any duty to be discharged by that officer under or in exercises of any power conferred by this bylaw;
- 10.3. Pursuant to section 242 of the Local Government Act 2002, any person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000.
- 10.4. Under section 163 of the Local Government Act 2002 the Council or an authorised officer may remove or alter any work or thing that is or has been constructed in breach of this Bylaw.
- 10.5. The Council may recover the costs of removing or altering the work or this that is in breach of this Bylaw from the person who committed the breach. This does not relieve that person of liability for the breach.
- 10.6. Under section 162 of the Local Government Act 2002 the Council may apply to the District Court for the grant of an injunction restraining a person from committing a breach of this Bylaw.
- 10.7. The Council may seize and impound property materially involved in the commission of an offence, under and in accordance with sections 164 and 165 of the Local Government Act 2002.
- 10.8. The council will return and may dispose of property seized and impounded in accordance with sections 167 and 168 of the Local Government Act 2002.

The COMMON SEAL of the HAMILTON CITY COUNCIL was hereunto affixed in the presence of:

Councillor: .....

Councillor: .....

Chief Executive: .....



# Plan Change on Waipā District Plan Submission Form

Form 5

Clause 6 of the First Schedule to the Resource Management Act 1991

Send to: Waipā District Council, Private Bag 2402, Te Awamutu 3840

Phone: 0800 924 723 | Fax: 07 872 0033 | Web: [www.waipadc.govt.nz](http://www.waipadc.govt.nz) | Email: [districtplan@waipadc.govt.nz](mailto:districtplan@waipadc.govt.nz)

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

COUNCIL USE ONLY	
Date received	
Document ref:	

**Note:** You must fill in ALL sections of this form.  
Submissions close 5pm Friday, 29 January 2021

1 Submitter details	
Full name of submitter: <i>(required)</i>	Waikato domesha beekeepers Association
Contact name if different from above:	Mike Simmonds (President)
Contact phone number(s) <i>(mobile optional):</i>	[REDACTED]
Postal address: <i>(required)</i>	[REDACTED]
Email <i>(optional):</i>	[REDACTED]

How would you like us to contact you?

By post

By email

**Privacy Act Information** - It is a requirement of the legislation for submissions to be made available to the public.

Your contact details are collected:

- To arrange a hearing date and time for you to speak (if you choose to).
- So the Council can write and inform you of the decision(s) on your submission(s).

**Your name and address will be publicly available.**

Your personal contact details (e.g. mobile and email address) will only be used for the above purposes and otherwise kept confidential. You have the right to correct any errors in personal details contained in your submission.

2 This is a submission on the following proposed plan change to the Waipā District Plan	
Plan Change Number and Name: <i>(e.g. #1 – Rezoning of 3847 Cambridge Road)</i>	#18 - Residential beekeeping

3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input checked="" type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

Please complete the reverse side of this form



**4 Attendance at Council hearing**

Select one	<input checked="" type="radio"/> I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input type="radio"/> I do not	

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Yes  No

**5 The specific provisions of the plan change my submission relates to are: (give details)**


Select one	<input type="radio"/> I SUPPORT	
	<input checked="" type="radio"/> I SUPPORT IN PART	
	<input type="radio"/> I OPPOSE	

**6 My submission is: (please include the reasons for your view)**

see attached email

**7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)**

**8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)**

Signature of submitter: (or person authorised to sign on behalf of submitter)		Dated 10/2/21.
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## Submission on Proposed District Plan Change 18 - Beekeeping in Residential Zones

The Waikato Domestic Beekeepers' Association would like to address the panel on this proposed change.

We have the following observations.

Firstly, the proposed change acknowledges that the present system is not fit for purpose. By inserting Rule 2.4.1.1(r) – to provide for beekeeping as a permitted activity, council acknowledges the importance of beekeeping as a source of pollinators that underpin life-supporting ecosystems, the mental wellbeing of hobbyist beekeepers and financial equity for beekeepers from all walks of life.

With respect to the wording.

### *3.4.2.13A Beekeeping is permitted if:*

#### *(a) There are no more than two beehives on a site*

Many of our members keep up to 4 hives inside Hamilton City without issues with their neighbours. While two hives are the minimum that should be kept for good animal husbandry (queen failure in one hive can be solved using the second hive), 3 or 4 hives allows for more flexibility and thus more responsible beekeeping.

#### *(b) The beehives are placed at least 5m from the boundary*

While this is on the surface a sensible rule, it may be better to replace it with a more general statement that hives should be placed in such a manner so as to ensure that their flight path does not provide a nuisance to any neighbouring properties. This would allow beekeepers to site the beehives in the most suitable location, such as next to a high boundary fence

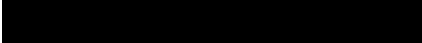
#### *(c) The site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly.*

As noted in the Council's own report "Bees and wasps are naturally occurring, and wild beehives and wasp nests can occur anywhere (with paper wasps being relatively common in household areas). The relative extra contribution of beekeeping to adverse effects is therefore negligible".

This suggests that rule (c) should be removed. Many schools in the Waikato (such as St Paul's Collegiate and St Peters School) already have beehives on-site as part of their curriculum and Beekeeping is also taught at Hillcrest high school. Beehives have been kept for a long time within Hamilton Gardens' sustainable garden. As bees generally forage up to around 3km and up to 7km from their hive, a hive should have a negligible effect on neighbouring properties and thus we feel that rule (c) is unnecessarily restrictive

As a final point, our members have raised the point that most, if not all councils, within New Zealand control urban beekeeping using bylaws to address nuisance issues. We urge council to reconsider this option as a simple, cost-effective solution

Regards

Mike Simmonds  
Club President  
Waikato Domestic Beekeepers Association  


Send to: Waipā District Council, Private Bag 2402, Te Awamutu 3840

Phone: 0800 924 723 | Fax: 07 872 0033 | Web: [www.waipadc.govt.nz](http://www.waipadc.govt.nz) | Email: [districtplan@waipadc.govt.nz](mailto:districtplan@waipadc.govt.nz)

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

**Note:** You must fill in **ALL** sections of this form.  
Submissions close **5pm Friday, 29 January 2021**

**COUNCIL USE ONLY**

Date received

Document ref:

1 Submitter details	
Full name of submitter: (required)	Dr Dara Dimitrov
Contact name if different from above:	
Contact phone number(s) (mobile optional):	[REDACTED]
Postal address: (required)	[REDACTED]
Email (optional):	[REDACTED]
How would you like us to contact you?	
By post <input type="radio"/>	
By email <input checked="" type="radio"/>	

**Privacy Act Information** - It is a requirement of the legislation for submissions to be made available to the public.

Your contact details are collected:

- To arrange a hearing date and time for you to speak (if you choose to).
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Your personal contact details (e.g. mobile and email address) will only be used for the above purposes and otherwise kept confidential. You have the right to correct any errors in personal details contained in your submission.

2 This is a submission on the following proposed plan change to the Waipā District Plan	
Plan Change Number and Name: (e.g. #1 – Rezoning of 3847 Cambridge Road)	Proposed Plan Change 18 - Beekeeping in Residential Zones

3 Trade competition			
Select one	<input type="radio"/>	I could	gain an advantage in trade competition through this submission.
	<input checked="" type="radio"/>	I could not	
Select one	<input type="radio"/>	I am	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition
	<input checked="" type="radio"/>	I am not	

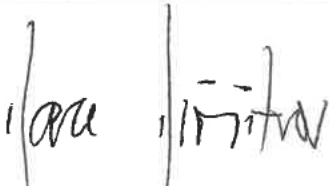


4 Attendance at Council hearing		
Select one	<input checked="" type="radio"/> I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input type="radio"/> I do not	
If others make a similar submission, I will consider presenting a joint case with them at the hearing.		<input type="radio"/> Yes <input checked="" type="radio"/> No

5 The specific provisions of the plan change my submission relates to are: (give details)		
Select one	<input type="radio"/> I SUPPORT	Please see the attached document
	<input checked="" type="radio"/> I SUPPORT IN PART	
	<input type="radio"/> I OPPOSE	

6 My submission is: (please include the reasons for your view)	
Please see the attached document	

7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)	
Please see the attached document	

8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)	
Signature of submitter: (or person authorised to sign on behalf of submitter)	 <span style="float: right;">Dated 29/1/2021</span>



2021

# Submission [Proposed Plan Change 18]

Dara Dimitrov

Faculty of Law: University of Waikato

1/29/2021

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## Section One: The Extent of Hobbyist Beekeeping In New Zealand

Beekeeping is on the rise. There are 854,477 registered beehives and 9,510 registered beekeepers in New Zealand (September 2020). The number of registered beekeepers continue to increase (by 8% in 2019-2020 season) with the most growth in the hobbyist and semi-commercial categories of beekeepers<sup>1</sup>.

I have been teaching beekeeping for over seven years; the classes are well attended and popular. The students are predominantly hobbyist beekeepers. Hobbyist beekeepers are an obvious source of new semi-commercial and commercial beekeepers. Typically, as a hobbyist beekeeper gains more experience, they will gradually supplement their income from their beekeeping.



Several vital factors facilitate high numbers of hobbyist beekeepers; the ease of purchasing beehives, the generally positive attitude that New Zealanders have to bees and beekeeping in our communities, and the relatively ideal conditions for beehives in our urban areas.

### 1.1 Biosecurity Act (1993) and Current Levy Requirements

The Biosecurity Act (1993) requires all beekeepers to register their hives and pay an AFB levy fee to The Management Agency National American Foulbrood Pest Management Plan ('the Agency'). It is considered the single most crucial issue for the continued viability of New Zealand's apiculture industry; a \$5 billion industry<sup>2</sup>. Its prime concern is the elimination of the honeybee disease – American Foulbrood (AFB), but it does also monitor for other exotic pests and diseases of honeybees not yet found in New Zealand.

In 2020, the government made significant changes to the AFB levy (after consultation with beekeepers in 2018-2019) by increasing the levy. Subsequently, the Agency has increased the monitoring and auditing of hives by the AP2 hive inspectors. Correspondingly, more hives are inspected, and non-compliance is more readily identified and followed-up than previously<sup>3</sup>.

<sup>1</sup> Ministry for Primary Industries, (2019). *Apiculture: 2019 Apiculture monitoring programme*. Retrieved from <https://mpi.govt.nz/dmsdocument/40849>

<sup>2</sup> Apiculture New Zealand, (2021). *Our industry*. Retrieved from <https://apinz.org.nz/about/#:~:text=New%20Zealand's%20apiculture%20industry%20is,fruit%20and%20pip%20ofruit%20orchards.>

<sup>3</sup> AFB Org, (2021). *New AFB Levy*. Retrieved from <https://afb.org.nz/new-afb-levy-2020/>



Hobbyist beekeepers have an essential role in detecting and controlling AFB and other exotic pests and diseases. Despite the committed attempts to deal with AFB by commercial beekeepers, large numbers of infected hives in urban areas would frustrate any AFB elimination programme. Thus, hive registration with the Agency is critical, but especially for relatively unskilled urban beekeepers. So, while the initial reaction to the Biosecurity Act (1993) might suggest that it would only concern commercial beekeepers, in fact, urban hobbyist beekeepers are critical for the Agency to achieve its goals. More crucially, registration of a beekeeper with the Agency already ensures

- that the health of the bees is monitored,
- an annual disease return is filed annually,
- sales and acquisitions of hives are recorded,
- movement of hives from one apiary to another is recorded
- registration to a beekeeper is specific
- A DECA approved beekeeper carries out AFB inspections<sup>4</sup>
- beehives are appropriately kept on registered apiaries<sup>5</sup>.

Beekeepers can be subject to non-compliance cost recovery and enforcement by the Agency<sup>6</sup>. At the extreme, the Agency has the powers to destroy non-compliant beehives.

### 1.2 Support from the Apiculture Industry

Hobbyist beekeepers are encouraged to be members of the Apiculture New Zealand (APINZ), which represents all sectors of the apiculture industry. APINZ produces a *code of practice* which specifies the requirements of beekeeping, including urban areas. It is a widely used



document by the apiculture industry and beekeepers whether they be hobbyists or commercial operators. Working together with the Agency, and Assured Quality<sup>7</sup> – APINZ supports the practice of ensuring hobbyist beekeepers acquire a sound knowledge of beekeeping and a good understanding of their legal obligations.

<sup>4</sup> Disease Elimination Conformity Agreement

<sup>5</sup> The Management Agency National American Foulbrood Pest Management Plan, (2021). *Website*. Retrieved from <https://afb.org.nz/>

<sup>6</sup> The Management Agency National American Foulbrood Pest Management Plan, (2019-2020). *Annual Report 2019-2020*. Retrieved from <https://afb.org.nz/wp-content/uploads/2020/12/2019-20-Annual-Report.pdf>

<sup>7</sup> Assured Quality provide the apiary registration, testing for honey, organic certification, specialist knowledge and compliance with the Food and Safety Standards.

### 1.3 Support for Commercial Apiculture Equipment Suppliers & Commercial Recruitment

Hobbyist beekeepers are recreational beekeepers, and for the most part, they are urban beekeepers. Most have less than five hives, while many will manage 1-2 hives. With the increasing growth in the number of hobbyist beekeepers is the increased demand for beekeeping equipment supplies. Hobbyist beekeepers are vital in driving the growth and expansion of beekeeping equipment suppliers (the Suppliers).

Suppliers are now found across most cities in New Zealand (in the past I could only purchase beekeeping equipment from 2 leading suppliers<sup>8</sup>), online and in sections of established businesses (like Farmlands Co-operative for example). This is evidenced by a Google search for 'beekeeping suppliers' and demonstrates the importance of this expanding industry. Hobbyist beekeepers are an important market for beekeeping equipment suppliers.

A substantial investment is made in both beekeeping equipment and bees. A 5-frame nucleus of bees costs on average \$200 (this usually a five bee-frames held within a core flute box and includes the bees). The beekeeper will need to invest in a hive set up, which is approximately \$350 per hive (without bees); the costs increase as the hobbyist gains more experience and increases their number of hives. Due to the threat of AFB, beekeepers rarely purchase second-hand equipment. Also, there



are additional costs to the beekeeper, such as varroa mite treatments and bee nutrition products. Thus, the hobbyist beekeeper is also important economic support for associated industries as well.

In the tough COVID-19 economic times and rapidly increasing unemployment <sup>9</sup>, New Zealand's Apiculture industry continues to grow and provide employment opportunities. Otorohanga and the surrounding district are known for its queen bee production and commercial activities, which drives the growing requirements for beekeepers. Ergo it not unexpected to see increasing numbers of Apiculture courses offered by different providers<sup>10</sup>. The courses are also fully funded (fees-free to

<sup>8</sup> These were Eckroyds and Ceracell – there were also specialist suppliers like Tunnicliffe's Timber

<sup>9</sup> Stats NZ, (2020) Unemployment rate hit 5.3% due to COVID-19. Retrieved from <https://www.stats.govt.nz/news/unemployment-rate-hits-5-3-percent-due-to-covid-19>

<sup>10</sup> For example, apiculture courses are offered by most polytechnics, adult community education and private providers like Land Based Training.

eligible applicants), producing a surge in the beekeeping student numbers. The importance of bees to the food chain also drives the increasing importance of beekeeping and beekeepers.

#### 1.4 Urban Food Production

New Zealand has a long history of backyard gardens to grow fruit and vegetables, especially in urban areas. There are the obvious nutritional, recreational and economic benefits for individuals who garden. More recently, the economic and environmental benefits have highlighted the value of urban food production. However, fruit and vegetables' successful production requires pollination by bees and underpins how crucial bees are to a healthy ecosystem.



However, there has not been as much attention paid to the background pollination that occurs outside commercial pollination<sup>11</sup>. Urban pollination also benefits the insect population, to other domesticated and wild animals (such as birds and bats), to wild organisms and underpins other wild plants' production<sup>12</sup>. All of which deliver other benefits critical for

a healthy ecosystem.

While New Zealand has other native pollinators, most pollination is performed by managed urban hives. The support for hobbyist urban beekeepers is just as crucial as it is for the commercial beekeepers. Moreover, pollination provided by honeybees aligns with the council's policy and maintenance of biological diversity; *the safeguarding the life-supporting capacity of ecosystems; the preservation (of the natural character of the coastal environment, wetlands, rivers, lakes and their margins); and the protection (of significant indigenous vegetation and significant habitats of indigenous fauna)*<sup>13</sup>.

Many New Zealanders are trying to reconnect with nature, and producing honey is one way. Keeping beehives boosts crop production in backyard gardens and encourages urban

<sup>11</sup> Newstom-Lloyd, L.E., (2013). *Pollination in New Zealand*. In Dymond J.R. (Ed.) *Ecosystem services in New Zealand – conditions and trends*. Manaaki Whenua Press, Lincoln, New Zealand.

<sup>12</sup> Key to this is the ability for a plant to set seed – 2019 was a *mega mast* year in New Zealand – with exceptional heavy seed loads across New Zealand. (Department of Conservation, (April 2019), *Mega Mast confirmed for New Zealand forests*. Retrieved from <https://www.doc.govt.nz/news/media-releases/2019/mega-mast-confirmed-for-new-zealand-forests/> )

<sup>13</sup> Quality Planning Resource, (2020). *Indigenous biodiversity and the RMA and roles and responsibilities*. Retrieved from <https://qualityplanning.org.nz/node/760>

environmentalists to protect the ecosystems of bees. Moreover, there is a lot more food for bees in urban areas because there is a broad range of flowering plants for bees to forage on.

With this in mind, beehives can now be found in most public gardens (Hamilton Gardens for example), on the rooftops of major hotels (Crowne Plaza in Auckland for example), on public conservation lands and in our national parks<sup>14</sup>. There is increasing public tolerance of beehives if only for their importance to the food chain.

### 1.5 Personal Enjoyment and Satisfaction of Beekeeping

Beekeeping is a hobby that has had extraordinary growth over the last five years – as evidence by the increasing number of beekeeping courses. There is a rising growth of Beekeeping Clubs – many of which work directly with their councils. It is a hobby that provides personal enjoyment and encourages intellectual stimulation, continued learning and community involvement. In much the same way that councils support dog owners and keep other domestic pets – the council should also



support recreational beekeeping.

Several schools keep beehives for their students (Birkenhead Primary, Stratford Primary, St Pauls Collegiate are just a few). Children and young adults are fascinated by bees, and introducing bees into schools has been a largely successful programme. The students are taught to understand and respect

the bees rather than fear them.

### 1.6 The Nature of Bees

Bees can fly up to 5 km from the hive – so setting a boundary restriction does not necessarily prevent bees from flying in a particular direction or a specific area. Boundary restrictions have proven to be ineffective in cases of boundary stacking<sup>15</sup>. For example, Whanganui District Council introduced a bylaw that restricted hives in rural regions to 40m from the boundary, roadside or public place; however, this failed to prevent boundary stacking. Bees can easily fly the 40m distance. Hawkes Bay Council attempted to introduce a 10m restriction from the boundary, but this too was met with concerns from the local bee association and beekeepers. This restriction does not make much sense given the nature of bees.

<sup>14</sup> Beard, C. (2015). *Honey Bees (Apis Mellifera) on public conservation lands*. Department of Conservation. Retrieved from <https://www.doc.govt.nz/Documents/science-and-technical/honeybees-on-public-conservation-lands.pdf>

<sup>15</sup> Boundary stacking is the where beehives are purposely put onto a property at the boundary edge to give them access to the neighbouring property – occurs largely where there is manuka growing.





An urban beekeeping bylaw's focus must have a welfare and health focus; where the bees are considered likely to obstruct a walkway or are overly defensive. A healthy hive can contain thousands of bees – who are very focused on foraging for food. With this in mind, it is essential to locate the hive appropriately.

- The flight path of the bees can be very busy during the spring and summer months. So, avoid bee flight paths across a driveway, children play areas or a footpath
- Flight path barriers are rarely needed as bees will fly upwards; however, a windbreak fence can be easily erected in front of the hive so that the bees have to fly 'up' for any reason.
- A quiet corner on a property that does not attract the attention of children or people who may be tempted to disturb the bees.

With this in mind, it is essential to note that urban beehives.

- Have a better winter survival rate (NZ lost 10.46% for the 2019 season)<sup>16</sup>
- Produce more honey because of the greater plant biodiversity
- Tend to be healthier than rural bees (modern monoculture farming and pesticides are not conducive to a thriving hive)

It is considered that it is always better to have more than one beehive – two is better and three ideal for some. It is a manageable number for a hobbyist with a full-time job and lots of other commitments. Hive losses are common for most beekeepers (for example, due to winter, disease or the loss of the queen) - the reality for beekeepers so that having at least one other hive means it is not a dead loss.

### 1.7 Neighbours

A good relationship with neighbours does bode well for both parties and any beekeeper should

- Tell his neighbour he is keeping bees
- Even if the presence of the hive is accepted – there should be an ongoing relationship if the neighbour raises concerns

<sup>16</sup> Biosecurity New Zealand (Feb. 2020). *Report on the 2019 New Zealand colony loss survey*. MPI. Retrieved from <https://www.mpi.govt.nz/dmsdocument/40349/direct>

- Sensible locations are vital for both parties and the health of the bees
  - Do not allow hives to face a neighbour's driveway; children play areas, clothesline or home
  - Providing a water source for the bees, such as a birdbath close to the hive – once a hive uses a particular water source, it is difficult to change its habit.
- Reasonable numbers of hives – I recommend no more than three hives to my students.
- Just as a beekeeper should be reasonable, so must the neighbour.

It is noted that most neighbours are unaware that there are beehives next door to them. The bees are focused on foraging and if located appropriately – they are not easily visible.

Some requirements for beekeeping in residential areas should include

- The maximum number of hives (I recommend three hives at most)
- Whether fencing or hedging is required
- An onsite water source to prevent the bees going to pools and other sources of water at neighbouring properties

## 1.8 Bee Swarms

Honeybees swarm – it is the natural way bees replicate<sup>17</sup>, but it does not occur in every hive and may not occur every year. Some facts about bee swarms.

- Swarming occurs in the spring – usually from early October until the end of December. The bees will swarm on a sunny day – generally between 11 am – 2 pm.
- A bee swarm can be dramatic – involving many thousands of bees in a loud, noisy cloud – however, they will typically settle into a cluster with 15-20 mins if left alone. This is because they follow the queen, and she is naturally large and unable to fly very far.
- When bees swarm – the bees have gorged on honey, and they rarely sting because their bodies are not easily positioned to sting. Swarming bees are notably docile and soporific. The public is encouraged to remain still/passive as the bees fly past them because left alone – the swarm is harmless.
- The bee swarm will settle in the cluster and remain there for up to 3 days – while 'scout' bees attempt to find a new home.

<sup>17</sup> Compare to cows who calve, horses have foals, bees swarm.

All the bee clubs, most councils<sup>18</sup> and private individuals will offer to remove the bee swarm – free of charge. This is a voluntary service; they are not paid for swarm collection; however, most hobbyist beekeepers are delighted to collect a swarm. Unlike rural areas, swarming in urban areas has more chance of coming to the public's attention and can cause some disruption in extreme cases.

If the swarm is in a difficult place (inside a brick wall) or located in a difficult to reach location (high up for example), the beekeeper may not always remove the bees. In those rare instances – pest control is called to kill off the bees; however, this is still a last resort. Feral hives are unlikely to survive past a season since varroa mite became an issue in New Zealand.

Approved beekeepers and club members are encouraged to be vigilant during the swarm season and look for tell-tale signs that the bees are preparing to swarm. The beekeepers are encouraged to regularly check their hives and take steps (like splitting the hive, for example) to prevent swarming. Our club offers a mentoring service to assist novice beekeepers.



### 1.9 Maori and Beekeeping

Maori are considered the first commercial beekeepers in New Zealand when Isaac Hopkins observed in the 1860s that Maori was selling considerable quantities of honey<sup>19</sup>. More recently, there has been a growing interest in maramataka (traditional beekeeping knowledge) beekeeping and an overall feeling that Maori can benefit from modern beekeeping<sup>20</sup>. From that perspective, increasing numbers of Maori are undertaking beekeeping courses and engaging in beekeeping to benefit their whanau. Moreover, APINZ recognises the critical role that Maori play in the apiculture industry and has worked to establish protocols and policies that align with their obligations under the Treaty of Waitangi to create a proactive engagement programme.

The Miere (Honey) Coalition is an example of a group helping Maori to become active commercial beekeeping operators – but more importantly, it about getting local Maori actively

<sup>18</sup> The council will have a 'swarm list' of people who will collect the swarms – free of charge – for example Hamilton council has one.

<sup>19</sup> New Zealand History, (2021). *Honey bees brought to New Zealand 19 March 1839*. Retrieved from <https://nzhistory.govt.nz/mary-bumby-brings-the-first-honey-bees-in-new-zealand#:~:text=Isaac%20Hopkins%2C%20regarded%20as%20the,the%20country's%20first%20commercial%20Obeekeepers.>

<sup>20</sup> Te Ao News, (May, 2020). *Abuzz about maramataka for beekeeping*. Retrieved from <https://www.teaomaori.news/abuzz-about-maramataka-bee-keeping>

involved beekeeping. This is just one aspect of advancing Maori interests; the decisions that affect the Waipa's future should include Maori's voice to play a part and share in the building of a prosperous Waipa for the future.

## 2.0 Council Leadership can help Urban Beekeeping flourish

Urban beekeeping is practised across all the major cities across the globe with relative success. Cities such as Paris, London, New York have beehives on rooftops and backyards – often called urban farms. New York introduced a bee ban in 1999; however, beekeepers largely ignored the bylaw (even though they risked fines up to US\$2000) and kept the hives illegally. The hives were camouflaged and hidden from view. Regardless, pressure was placed upon the city council by food campaigners, gardeners, national bee associations, environmental groups and residents. The main argument is that 'bees make urban areas more liveable'.

More locally, Waipa stands out as one of the very few councils that require a resource consent to keep a hive (as set out by the Waipa's District Plan). Rarely are beekeepers needed to have/pay a permit or a license from other councils across New Zealand. This acknowledges that beekeepers already pay a levy to the Agency to have a beehive. In Australia, beekeepers are not required to have a permit or license to keep a hive; in the UK, for the most part, no licences are needed<sup>21</sup>; however the beekeeper has to be registered in the same way as New Zealand beekeepers for disease and pest control purposes, but hives do not. The Mayor of London and the Greater London Authority have advocated for increased urban beekeeping, especially as hive losses are 30% every year.

Waipa has a similar opportunity to join other councils across New Zealand who encourage beekeeping<sup>22</sup>. Wellington, Hamilton and Auckland council all have policies to promote beekeeping. For example, the Wellington council produces a flier<sup>23</sup>; Hamilton council has 'swarm list' where the public is given the phone number of beekeepers who will remove swarms (free of charge). Auckland Council has a webpage that is dedicated to keeping bees<sup>24</sup>. None of these councils requires a permit, licence or resource consent to keep bees.

<sup>21</sup> London does not require a licence – there were 4218 registered hives in London city in 2014 however there is estimated to be more than 5500 hives currently

<sup>22</sup> I noted that Waipa council celebrated Bee Aware Month in September 2020

<sup>23</sup> Wellington City Council, (2021). *Caring for bees*. Retrieved from <https://wellington.govt.nz/~media/your-council/plans-policies-and-bylaws/plans-and-policies/a-to-z/domestic-animals/animal-bees-factsheet.pdf?la=en>

<sup>24</sup> Auckland Council, (2021). *Keeping bees*. Retrieved from <https://www.aucklandcouncil.govt.nz/dogs-animals/keeping-other-animals/keeping-bees/Pages/default.aspx>



## 2.1 Conclusion

Rather restrain beekeeping, I believe the council should take affirmative action and encourage beekeeping. Waipa has a unique opportunity to increase the habitat of honeybees and support beekeepers in creating safe places. Honeybee numbers are bouncing back in urban areas because of hobbyist beekeepers; therefore, I would encourage the council to work with the existing agencies who have oversight of beekeeping in New Zealand and local bee clubs<sup>25</sup>. This would require a bylaw rather than a District Plan rule.

Finally, I would like to point out there are increasing numbers of different types of beehives sold across New Zealand. For example, bumble beehives and leafcutter hives. In the case of bumblebees – they also swarm; however, the proposed plan is narrowly focused on honeybees.



<sup>25</sup> Waikato Domestic Bee Association is the local Waikato club.

Table One: Response to Planned Changes

Section 2: Residential Zone: Policy	
2.3.2.18	<b>Agree</b> – beehives should be a permitted activity
2.3.2.18A	<b>Agree</b>
Section 2: Residential Zone: Rules	
2.4.1.1. (r)	<b>Agree</b>
2.4.1.4(m)	<b>Agree</b>
2.4.2.40A	<b>Disagree:</b> It should be up to 3 hives The controls from boundaries are moot – see 1.6 The size of the site is not as important as the location – see 1.7 & 2.0 Note: many schools keep beehives for their students – they would automatically breach the bylaw
Section 3: Large Lot Residential Zone	
3.2.11	<b>Agree</b>
3.4.1.1(p)	<b>Agree</b>
3.4.2.13A	<b>Disagree:</b> It should be up to 3 hives The controls from boundaries are moot – see 1.6 The size of the site is not as important as the location – see 1.7 & 1.5
Section 21 – Assessment Criteria and Information Requirements	
21.1.2.30 (residential lot)	<b>Disagree with (a)</b> – more schools are incorporating hives into their gardens – see 1.5 for examples of these <b>Disagree with (e)</b> – flyway barriers are rarely needed see 1.6 Note: many schools keep beehives for their students – they would automatically breach the bylaw
21.1.3.3 (large lot residential lot)	<b>Disagree with (a)</b> – more schools are incorporating hives into their gardens – see 1.5 for examples of these <b>Disagree with (e)</b> – flyway barriers are rarely needed see 1.6 Note: many schools keep beehives for their students – they would automatically breach the bylaw





# Plan Change on Waipā District Plan Submission Form

Form 5

Clause 6 of the First Schedule to the Resource Management Act 1991

Send to: Waipā District Council, Private Bag 2402, Te Awamutu 3840

Phone: 0800 924 723 | Fax: 07 872 0033 | Web: [www.waipadc.govt.nz](http://www.waipadc.govt.nz) | Email: [districtplan@waipadc.govt.nz](mailto:districtplan@waipadc.govt.nz)

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

COUNCIL USE ONLY	
Date received	
Document ref:	

**Note:** You must fill in **ALL** sections of this form.  
Submissions close **5pm Friday, 29 January 2021**

1 Submitter details	
Full name of submitter: <i>(required)</i>	Alex Reekers - Professional Beekeeper, Heritage Valley Honey Ltd
Contact name if different from above:	
Contact phone number(s) <i>(mobile optional):</i>	[REDACTED]
Postal address: <i>(required)</i>	[REDACTED]
Email <i>(optional):</i>	[REDACTED]
How would you like us to contact you?	
By post	<input type="radio"/>
By email	<input checked="" type="radio"/>

**Privacy Act Information** - It is a requirement of the legislation for submissions to be made available to the public.

Your contact details are collected:

- To arrange a hearing date and time for you to speak (if you choose to).
- So the Council can write and inform you of the decision(s) on your submission(s).

**Your name and address will be publicly available.**

Your personal contact details (e.g. mobile and email address) will only be used for the above purposes and otherwise kept confidential. You have the right to correct any errors in personal details contained in your submission.

2 This is a submission on the following proposed plan change to the Waipā District Plan	
Plan Change Number and Name: <i>(e.g. #1 – Rezoning of 3847 Cambridge Road)</i>	Proposed Plan Change 18: Beekeeping in the Residential Zones.

3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input checked="" type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition



**4 Attendance at Council hearing**

Select one	<input type="radio"/>	I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input checked="" type="radio"/>	I do not	

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

I am in support of Morgan Samuel's submission

Yes  
 No

**5 The specific provisions of the plan change my submission relates to are: (give details)**

Select one	<input type="radio"/>	<b>I SUPPORT</b>	I support the intention of this plan change to remove the requirement for a hobby beekeeper to apply for resource consent.
	<input checked="" type="radio"/>	<b>I SUPPORT IN PART</b>	I will address the proposed restriction of up to two beehives per site, and the proposed control measures relating to hive placement.
	<input type="radio"/>	<b>I OPPOSE</b>	

**6 My submission is: (please include the reasons for your view)**

I support the effect this proposed plan change has, on the requirement for a hobby beekeeper to apply for a resource consent. This is an unduly expensive undertaking for a hobby. A hobby that is beneficial to the environment and has a low environmental impact, so long as it has some reasonable restrictions within the residential zones.

I oppose the restriction of two beehives per site. I do not disagree with a restriction. I suggest the hive number be restricted to a maximum of four hives per site, to allow the beekeeper to split in the spring to control swarming and colony population size. Although it is not unreasonable to expect a hobby beekeeper to find a second site for this purpose.

I also oppose the hive placement restrictions. There is no benefit to placing a hive any specific distance inside a boundary, providing there is a solid barrier on said boundary to obscure the bee flight path. I suggest a barrier be a minimum height of 1.8 meters and extend a minimum of 1.0 meters horizontally from the side of the outermost beehives of the apiary.


I also oppose the restriction preventing hives being placed beside a school, providing they are not a nuisance. Bees are simply part of the environment, and there is no need, generally speaking, to protect school children from them. Schools also have many places for students to avoid bees if they wish, and plenty of space for bees to pass by naturally.

I do however support the restriction as it pertains to preschools and early childhood centres as these are much smaller, and often much more confined. This increases risks if bees are swarm or become agitated into this more confined space.

**7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)**

**8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)**

Signature of submitter:  
(or person authorised to sign on behalf of submitter)



Dated 29/1/2021

**SUBMISSION FORM DETAILS:**

Full Name of submitter: Esther Dorshorst.

[REDACTED]

Postal address:

[REDACTED]

Plan change number: Plan change 18.

Trade competition: I could NOT gain an advantage in trade competition through this submission.

I am not directly affected by an effect of the subject matter.

I do **not** wish to be heard at a hearing in support of my submission.

The specific provisions of the plan change my submission relates to are: **I OPPOSE.**

My submission is:

I understand that the Waipa District Council are seeking to introduce a new rule that would make beekeeping a permitted activity in the residential zone.

I wholeheartedly disagree with this happening. I have three children and they have friends that come over to visit who are allergic to bees. I want my children to continue to play outside and not be confined to indoors because there are many bees outside.

Also, I have had cancer last year and have had 16 lymph nodes removed so I do not wish to get stung on my arm as I am more susceptible to infection. I do realise that there are already bees in our backyards but I do not wish for these numbers to increase. I also see that there may be rules implied such as how far away from the property boundary and the number of bees. BUT bees fly and the amount of bees would increase compared to now. AND how would this be enforced and made sure that people comply with rules. There are people who do not comply to rules or bend the rules and if one did not have a good repore with their neighbour then asking your neighbour to comply would not work.

I am sure there are other concerned people out there of all ages.

Yours Sincerely,  
Esther Dorshorst.