

Summary of Decisions Requested to Proposed Plan Change 18: Beekeeping in the Residential Zone by Topic

February 2021

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Reader's Guide

This document is a summary of the 16 submissions received and the relief sought/decision(s) requested. This summary is ordered by submission topic. This summary helps readers to see all the decisions requested by a topic (e.g. Definitions). If you would like to see all the submissions lodged by submitter on the plan change, then refer to "Summary of Decisions Requested to Proposed Plan Change 18: Beekeeping in the Residential Zone by Submitter".

Call for further submissions opens on 15 February 2021. The closing date for making further submissions is Friday, 26 February 2021. **No late further submissions will be accepted.**

In the summary, every submitter has been allocated a submitter number and each submission point is referenced by a unique number. This whole number (e.g. 1/3) is required to be referenced when you make a further submission. **EXAMPLE:**

Submission 1/3

1 is the submitter number

3 is the submission point number

How to read the summary:

- This summary is ordered by topic. The summary lists all of the submission points made on a particular topic by all the submitters.
- If after looking at this summary you wish to look at all the submission points to a particular submitter then you need to refer to the "Summary of Decisions Requested to Proposed Plan Change 18: Beekeeping in the Residential Zone by Submitter".
- For your information separate spell checks have been carried out on the Topic and Submitter reports. In the event of there being any discrepancy the "Summary of Decisions Requested to Proposed Plan Change 18: Beekeeping in the Residential Zone by Topic" will prevail.

How to make a further submission

People can make a further submission if they represent a relevant aspect of the public interest and/or have an interest in Proposed Plan Change 18 greater than the interest of the general public.

A further submission can only be made in support or opposition of matters raised in the submissions. No new points can be raised.

Further submissions should be set out in the format shown in the submission form. Copies of the further submission form are available at Council offices or Libraries at Cambridge and Te Awamutu as well as online at www.waipadc.govt.nz/planchange18.

In accordance with the Resource Management Act 1991 a copy of the further submission must be sent to the person who made the original submission within five (5) working days of sending the further submission to the Waipa District Council. To assist you with this an address list of all submitters is included in this report.

Submissions can be:

Posted to: Waipa District Council
Private Bag 2402
Te Awamutu 3840

Delivered to: Waipa District Council – Te Awamutu Office
101 Bank Street
Te Awamutu

Delivered to: Waipa District Council – Cambridge Office
23 Wilson Street
Cambridge

Emailed to: districtplan@waipadc.govt.nz

Submitter Contact Details

By Surname	Submitter's Contact Details	Submission number
Cadman, Roseanne	4463 Ohaupo Road RD3 Ohaupo 3883	6
Dimitrov, Dr Dara	Faculty of Law - Te Piringa The University of Waikato Hillcrest Road Hamilton 3216	14
Dorshorst, Esther	4 Hillary Place Cambridge 3432	16
El-Gamel, Valerie and Adam	227 Bell Road RD6 Te Awamutu 3876	8
Evans, Phil	15A Dalton Crescent Dinsdale Hamilton 3204	12
Heritage Valley Honey Ltd	Attn: Alex Reekers 653 Te Kawa Road RD3 Te Awamutu 3873	15
McCauley, Doug	191 Karakariki Road Hamilton 3289	7
O'Neill, Tim	2/35 Faiping Road RD2 Hamilton 3282	1
Owsley, Abigail	161 Victoria Street Cambridge 3434	3

By Surname	Submitter's Contact Details	Submission number
Parker, Stephen	69 Livingstone Avenue Nawton Hamilton 3200	4
Parlane, James	parlanej@xtra.co.nz	2
Payne, George	7 Sheridan Crescent Cambridge 3434	5
Samuel, Morgan	54 Christie Avenue Te Awamutu 3800	11
Shephard, Theresa	191 Benson Road Te Awamutu 3800	9
Waikato Domestic Beekeepers Association	Attn: Mike Simmonds 369 Pukemoremore Road RD1 Cambridge 3493	13
Willison, Vicky	19 Joanna Place Deanwell Hamilton 3206	10

Adjust permitted criteria in District Plan for beekeeping

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
2/1	New permitted criteria for beekeeping rules	Not stated	Plan change rules should reflect and align with AFB Agency, including: 3 beehives per residential property.	Amend permitted criteria to align with AFB agency.
2/2	New permitted criteria for beekeeping rules	Not stated	Rules should accommodate the spring season when hives are 'split' to avoid swarming, meaning that this should be referred to as half a hive.	Amend permitted criteria in District Plan.
2/3	New permitted criteria for beekeeping rules	Not stated	The permitted criteria should allow for there to be 6 half hives or 3 full hives.	Amend permitted criteria in District Plan.
3/3	District Plan - Beehives near schools	Support	Proposed changes are still prohibitive - such as not being beside schools as many schools have their own beehive.	No decision requested.
4/2	New permitted criteria for beekeeping rules	Oppose	If Option 3 (bylaw) is not possible then the proposed Option 4 (permit in the plan) should be altered.	No decision requested.
4/3	District Plan - Number of beehives	Oppose	Increase maximum beehives to four and include a minimum requirement of two hives at the minimum, 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.	No decision requested.

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
4/4	District Plan - Beehives near schools	Oppose	Many schools have hives. Bees forage up to 3km from their hive so a hive should have a negligible effect on neighbouring properties.	No decision requested.
5/1	District Plan - Beehives based on lot size	Support	Considers there shouldn't be a blanket approach to beekeeping provisions, where the amount of hives on a property should be determined based on the size of that site (i.e. one hive per 350m ²).	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.
5/2	District Plan - location of beehives	Support	Beekeepers should be mindful of the direction of their hive entrance points so that it does not direct the bees across the neighbours.	No decision requested.
6/1	District Plan - Number of beehives	Support in part	Considers that the rule requiring no more than 2 beehives on properties to be appropriate, however suggests that the rule should allow time to sell / rehome nucleus colonies to prevent swarming and that this hive shouldn't be counted as a separate hive.	Amend permitted criteria to that there is no more than 2 beehives and 2 nucleus colonies on a site and that the nucleus colonies are to be no more than 3 months old.
6/2	District Plan - Number of beehives	Support in part	The nucleus colonies shouldn't be more than 3 months old.	No decision requested.
7/1	District Plan - Number of beehives	Support in part	The hive number maximum is quite restrictive while not actually providing any	1) Review maximum hive number limits - remove or amend

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			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 especially on a mid-sized lot. Hobby beekeepers will often run 4 + hives.	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
7/2	District Plan - Beehives based on lot size	Support in part	The regulation of lot size seems unnecessary however the plan change could be clearer on what defines a larger lot.	No decision requested.
10/1	District Plan - location of beehives	Support in part	Fence height is more important than requiring setbacks.	Create a bylaw instead of including new rules in District Plan.
10/2	District Plan - Beehives near schools	Support in part	Banning near schools is not required as some schools have beehives that the students manage.	No decision requested.
11/4	New permitted criteria for beekeeping rules	Support in part	If there are rules in the district plan that would mean beekeeping requiring any kind of consent or permit with the WDC – this	No decision requested.

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			would need to be consistent across all registered beehives in the Waipā District to make it fair and effective.	
11/5	District Plan - Beehives near schools	Support in part	In response to sensitive receiving environments, 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. 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.	No decision requested.
11/6	New permitted criteria for beekeeping rules	Support in part	The proposed rules under Option 4 do not address the realities of beekeeping. (a) 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	No decision requested.

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
			<p>hives only, they will struggle to keep their hives from swarming. The criteria would severely increase the risk of nuisance caused by bees.</p> <p>(b) 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.</p>	

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			(c) 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 0.17m ² 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 ² .	
14/3	New permitted criteria for beekeeping rules	Support in part	Otherwise agrees beekeeping should be a permitted activity with no more than 3 hives, however disagrees that there should be a restriction on controls from boundaries and suggests other forms of controls (i.e. don't allow hives to face neighbours driveways, children's play areas, clotheslines or homes and there should be requirements for providing on-site water sources for bees including a birdbath and providing fencing or hedging near hives).	No decision requested.
15/2	District Plan - Number of beehives	Support in part	Opposes two beehives per site and suggests this should be increased to four	No decision requested.

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
			hives per site, to allow for the beekeeper to split in the spring to control swarming and colony population size.	
15/3	District Plan - location of beehives	Support in part	Opposes the hive restrictions as there is no benefit to placing a hive any specific distance inside a boundary, however solid barriers are more beneficial to obscure the bee flight path. A barrier should be a minimum height of 1.8m and extend a minimum of 1.0m horizontally from the side of the outermost beehives of the apiary.	No decision requested.
15/4	District Plan - Beehives near schools	Support in part	Opposes the restriction of beehives near schools, however supports the restriction as it pertains to preschools and early childhood centres as these are much smaller, and more confined as this increases risks if bees swarm or become agitated into these confined spaces.	No decision requested.

Create New Bylaw

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
3/1	Create a bylaw instead of including new rules in District Plan	Support	Changes to District Plan are expensive.	Create a bylaw instead of including new rules in District Plan.
3/2	Create a bylaw instead of including new rules in District Plan	Support	Create bylaw to align with other Councils.	Create a bylaw instead of including new rules in District Plan.
4/1	Create a bylaw instead of including new rules in District Plan	Oppose	A Bylaw should mean Waipa DC don't have to be hindered with heavy administration costs, and neither do beekeepers.	<p>"3.4.2.13A Beekeeping is permitted if:</p> <p>(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-</p>

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
				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.
9/1	Create a bylaw instead of including new rules in District Plan	Oppose	Prefers Option 3 - which is to have a bylaw as part of the animal nuisance rule (like most other Councils - Wanganui provides a good example). Bees are necessary in our urban environment especially for pollination services.	<p>"13.1 Any hives located within the District shall be registered under the Biosecurity Regulations.</p> <p>NB: Registering hives may be completed through the National AFB Pest Management Agency website: www.afb.org.nz</p> <p>13.2 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.</p> <p>13.3 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.</p> <p>13.4 In all other areas within the District no hive shall be kept less than 40 metres from any boundary, roadside, Public Place or</p>

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				<p>right of way unless Council has provided its written approval.</p> <p>13.5 Location of hives within an Urban Area section of less than 2000 m2 must comply with the following:</p> <p>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;</p> <p>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;</p> <p>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"</p>
11/1	Create a bylaw instead of including new rules in District Plan	Support in part	Option 3 (bylaw) is favoured option as this is consistent with the practise of many other councils.	<p>Suggested bylaw wording:</p> <p>"The owner of any 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 beehive removed, whether or not the owner of the beehive has been</p>

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				convicted of an offence against Section XX of the Act."
12/3	Create new bylaw	Support in part	<p>Agrees with Option 3 for the following reasons:</p> <p>(a) Enforcement risk to beekeepers is low - A Bylaw for Animal Nuisance, such as that used by Hamilton City Council, 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. Waipā is 1 of only 3 Councils (out of 67) that restrict hive numbers and locations like this and Waipā is alone in the severity of its rules.</p> <p>(b) 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</p>	No decision requested.

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			<p>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.</p> <p>(c) 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.</p>	
13/1	Create a bylaw instead of including new rules in District Plan	Support in part	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	Create a bylaw instead of including new rules in District Plan. References the Hamilton City Council Animal Nuisance Bylaw 2013 as an example.

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			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.	
13/2	Create a bylaw instead of including new rules in District Plan	Support in part	<p>The following comments are made on the proposed Option 4 provision:</p> <p>(a) Many of the Waikato Domestic Beekeepers' Association 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.</p> <p>(b) With reference to the setback requirement, 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.</p>	No decision requested.

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
			(c) With reference to sensitive locations, the 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.	
13/3	Create a bylaw instead of including new rules in District Plan	Support in part	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 (Bylaw) as a simple, cost-effective solution.	No decision requested.
14/1	Create a bylaw with controls instead of including new rules in District Plan	Support in part	Beekeeping is on the rise - The number of registered beekeepers continue to increase. The Biosecurity Act (1993) requires all beekeepers to register their hives and pay an AFB levy fee to The Management Agency National American	Maximum number of hives should not exceed 3, require fencing or hedging, require, an onsite an water source to prevent the bees going to pools and other sources of water at neighbouring properties and do not allow hives to face a

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			Foulbrood Pest Management Plan and Hobbyist beekeepers are encouraged to be members of the Apiculture New Zealand (APINZ), which represents all sectors of the apiculture industry.	neighbour's driveway; children play areas, clothesline or home.
14/2	Create a bylaw instead of including new rules in District Plan	Support in part	Rather restrain beekeeping, Council should take affirmative action and encourage beekeeping, and include a bylaw rather than a District Plan rule.	No decision requested.

Enforcement and monitoring

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
5/3	Enforcement and monitoring	Support	Beehives should be monitored and inspected like fencing for dogs and swimming pools.	No decision requested.
7/3	Enforcement and monitoring	Support in part	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.	No decision requested.
11/2	Enforcement and monitoring	Support in part	If there is a clear process for complaints, there is no reason why any nuisance	No decision requested.

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
			effects of beekeeping can't be managed under a bylaw. 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. Any responses to nuisances could be managed the same way that nuisance dogs are managed.	
11/3	Remove from district plan	Support in part	Option 4 (permit within District Plan) is not viable (based on the statistics of complaints received vs how many unconsented beehives there are).	No decision requested.
16/2	Enforcement and monitoring	Oppose	Has concerns over enforcement if activity was permitted with controls and neighbours did not comply with the permitted criteria.	Keep existing beekeeping provisions in District Plan.

Keep existing beekeeping provisions in District Plan

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
16/1	Keep existing beekeeping provisions in District Plan	Oppose	Has concerned relating to people with allergies and ones health if beekeeping was permitted within the Residential Zones. Notes that there are already bees in backyards, however has concerns that the number of bees would increase if rules were changed.	Keep existing beekeeping provisions in District Plan.

Permitted criteria for beekeeping

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
1/1	New permitted criteria for beekeeping rules	Support	Considers the plan change to be sensible.	As per the preferred option (Option 3).
8/1	Permitted criteria for beekeeping rules	Oppose	Wants to see beekeeping activities permitted with some controls.	Wants to see beekeeping activities permitted with some controls.
15/1	New permitted criteria for beekeeping rules	Support in part	Overall supports the plan change to remove the current requirement to apply for a resource consent for hobbyist beekeepers.	Increase permitted criteria to four hives per site, to allow for the beekeeper to split in the spring to control swarming and colony population size. Requirement of fly way barriers instead of setbacks which should be a minimum height of 1.8m and extend a minimum of 1.0m horizontally

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
				from the side of the outermost beehives of the apiary. Remove restriction to schools however keep restriction as it pertains to preschools and early childhood centres.

Remove from district plan

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
9/2	Remove from district plan	Oppose	That the proposed rules relating to beekeeping are not fit for purpose and should be removed not requiring permitting.	No decision requested.
12/1	No change to District Plan	Support in part	Option 1 is not viable.	No decision requested.
12/2	Remove from district plan	Support in part	Partially sees some merit in Option 2 based on the fact that most Councils in NZ have no real issues between beekeepers and neighbours.	No decision requested.
12/4	Remove from district plan	Support in part	Does not agree with option 4 for the following reasons: (a) The use of enforcement options is unnecessary.	No decision requested.

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested
			<p>(b) The restriction relating to the number of hives and locations is unnecessary.</p> <p>(c) Requiring resource consent to add additional hives is also 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.</p>	