

DRAFT CAT MANAGEMENT BYLAW

Statement of Proposal





RATIONALE

Tasman District Council has identified several issues associated with the unmanaged cat population, including public health concerns and nuisances caused by stray cats.

Uncontrolled breeding leads to overpopulation, which results in increased numbers of stray cats. These cats often suffer from poor health due to lack of proper care, exposure to diseases, and inadequate nutrition. Additionally, lost or abandoned pets are less likely to be reunited with their owners if they are not microchipped and registered.

To address these concerns and promote the welfare of cats, the Council proposes this bylaw. The measures outlined aim to ensure that cats are well-cared for, easily identifiable, and that their population is managed humanely and effectively.

INTRODUCTION

Tasman District Council seeks your views on its Draft Cat Management Bylaw.

This is a new bylaw. A copy of the proposed Draft Bylaw is also appended.

The proposed bylaw applies to the entire Tasman District and the keeping of domestic cats that are kept as pets. The bylaw requires all cats over the age of six months to be microchipped, registered on the National Companion Animal Register, and de-sexed.

SUMMARY OF WHAT IS PROPOSED

The Draft Cat Management Bylaw includes the following key provisions:



MICROCHIPPING

All cats over six months old must be microchipped.



REGISTRATION

All microchipped cats must be registered on the National Companion Animal Register.



DE-SEXING

All cats over six months old must be de-sexed unless the owner holds registration as a breeder. If a vet considers that a procedure would be detrimental to a cat's health or wellbeing they can provide a certificate for exemption from this bylaw.



TRANSITION PERIOD

Owners of existing cats would have until 1 June 2027 to comply with the terms of the bylaw.



LEGAL CONSIDERATIONS

The Local Government Act 2002 (the LGA) prescribes a procedure for making and reviewing bylaws.

Under section 155 of the LGA the Council must determine whether a bylaw:

- is the most appropriate way of addressing the perceived problem;
- is the most appropriate form of the bylaw; and
- gives rise to any implications under the New Zealand Bill of Rights Act 1990.

IS A BYLAW THE APPROPRIATE MEANS OF ADDRESSING THE PERCEIVED PROBLEM?

The Council has considered various alternatives to creating a bylaw, such as education campaigns, the funding of third parties and utilising a policy instead. It is satisfied that a bylaw is the most appropriate way of addressing the perceived problem. The bylaw provides a clear framework that addresses the issues that cats who are not microchipped, registered or de-sexed may cause. The presence of the bylaw will support vets in their good ownership conversations and will align with the practice of several other Councils.

IS THE DRAFT BYLAW THE MOST APPROPRIATE FORM OF BYLAW?

The draft bylaw is the most appropriate form of bylaw for the following reasons:

- **Clarity and specificity:** The bylaw is clear and specific about the requirements for cat owners, including microchipping, registration, and de-sexing. This clarity ensures that cat owners understand their obligations.
- **Community input:** The draft bylaw has been prepared with input from various stakeholders, including animal welfare organisations and the general public, ensuring it reflects the community's needs and concerns.

IS THE BYLAW CONSISTENT WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990?

There are no implications under the New Zealand Bill of Rights Act 1990. The Draft Cat Management Bylaw does not place any limits on freedom of movement, expression or association, and does not isolate any particular social group in terms of the Act. The requirements for microchipping, registration, and de-sexing are reasonable and justifiable measures to address the identified problems related to cat management in the Tasman District.



CONSULTATION AND SUBMISSIONS

Public consultation will commence on 26 July 2024 and close on 27 August 2024.

The Draft Cat Management Bylaw, Statement of Proposal and Summary of Information documents will be made available on the Council’s engagement website, Shape Tasman.

These documents will also be available for viewing during normal hours at the following Council offices and libraries:

Tasman District Council Offices:

- Golden Bay Office: 78 Commercial Street, Tākaka
- Motueka Office: 7 Hickmott Place, Motueka
- Murchison Office: 92 Fairfax Street, Murchison
- Richmond Office: 189 Queen Street, Richmond

Tasman District Council Libraries:

- Tākaka Memorial Library: 3 Junction Street, Tākaka
- Motueka Public Library: 32 Wallace Street, Motueka
- Murchison Public Library: 92 Fairfax Street, Murchison
- Richmond Library: 280 Queen Street, Richmond

Any person or organisation is welcome to make a submission on the Draft Cat Management Bylaw. The Council will consider all submissions made prior to deciding to adopt the final bylaw. Submitters will also be offered the opportunity to speak to their submission at a hearing if they wish.

SUBMISSIONS MAY BE MADE:

Online: There is a link to make an online submission on the Proposed Cat Management Bylaw page at shape.tasman.govt.nz/cat-bylaw

Posted to: Attn: Community Policy Advisor – Service and Strategy, Tasman District Council, Private Bag 4, Richmond 7050

Delivered to: A Council office as listed to the left, Attn: Community Policy Advisor – Service and Strategy

Emailed to: haveyoursay@tasman.govt.nz



Submissions should include name, address, telephone number and email address. You should also state if you wish to speak to the Council in support of your submission.

The Council will contact all submitters who wish to be heard to advise the confirmed time, date, and venue of the hearing.

Submitters should note that their submission will be copied and made available to the Councillors and public after the submission period closes.

KEY DATES

SUBMISSIONS OPEN 26 July 2024	SUBMISSIONS CLOSE 27 August 2024	COUNCIL HEARINGS 23 – 25 September 2024	ADOPTION BY COUNCIL 28 November 2024
-----------------------------------------	--------------------------------------------	---------------------------------------------------	------------------------------------------------



CAT MANAGEMENT BYLAW

Made by Resolution of Council on XX XXXXXXXX 2024



Table of Contents

1	Introduction	2
2	Title	2
3	Commencement.....	2
4	Purpose and Application	2
5	Definitions and Interpretation.....	2
6	Cat Management Provisions	3
7	Council Resolution	3

DRAFT

1 Introduction

- (1) Tasman District Council makes this bylaw in accordance with section 145 and 146 of the Local Government Act 2002.

2 Title

- (1) The title of this bylaw is the Tasman District Council Cat Management Bylaw.

3 Commencement

- (1) This bylaw comes into force on XX XXX 2024.

4 Purpose and Application

- (1) The purpose of this bylaw is to regulate the keeping of cats within the Tasman District.
- (2) This bylaw shall apply to all cats within Tasman District.

5 Definitions and Interpretation

- (1) In this bylaw, unless the context otherwise requires:

Cat means a domestic animal of the species *Felis catus*, including both male and female cats, regardless of breed, kept as a pet, companion, or for other purposes.

De-sexed means the surgical sterilization of an animal, which involves the removal of reproductive organs to prevent breeding. In male cats, this is known as neutering, and in female cats, it is known as spaying.

Microchipped mean a registered vet has implanted a small electronic device (microchip) under the skin of an animal, typically between the shoulder blades, that contains a unique identification number which can be read by a scanner. This number is linked to a registry containing information about the animal and its owner.

Nationally Recognised Cat Breeders Body means an organisation that is officially acknowledged at the national level for its role in promoting, regulating, and supporting the breeding of cats according to established standards. This body maintains records of registered breeders and ensures adherence to ethical breeding practices.

6 Cat Management Provisions

Any cat over six months of age must be:

- a. Microchipped and the cat's microchip registered with New Zealand Companion Animal Register; and
- b. De-sexed, unless:
 - i. the cat is kept for breeding purposes; and registered with a nationally recognised cat breeders body, or
 - ii. the owner provides a certificate from a registered veterinarian stating that the de-sexing of the cat will adversely affect its health and/or welfare.

Existing cat owners shall be granted a transition period from the commencement of this bylaw, during which they are required to desex, microchip and register any cats they already own. This transition period shall extend until June 1, 2027.

7 Council Resolution

This bylaw was made by Tasman District Council at a meeting of the Council on
[]

The common seal of the Tasman District Council is attached in the presence of:

Mayor

Chief Executive