

# Roading Bylaw 2011

## Appendix 1B



### LIVESTOCK MOVEMENT ALONG ROADS

#### 1. OBJECTIVE

The movement of livestock **along** the roads within the District shall be controlled so that the livestock, other users of the road, public and private infrastructure including the road itself are protected. **Along** is defined as a movement generally parallel to the road centreline. It covers the movement of livestock from one gateway to another gateway further along the road, not necessarily on the same property. These movements are commonly known as stock droving. This appendix covers both short and long distance stock droving.

Movement perpendicular to the road centreline is defined as **across** the road and is covered in Appendix 1A of this bylaw.

#### 2. PURPOSE

The purpose of Appendix 1B is to set the requirements for the movement of livestock **along** any road in the District controlled by the Council, including across State Highways under formal delegation from The New Zealand Transport Agency.

This clause provides for the:

- a) acceptance of long-term, intermittent, or temporary movement of livestock along public roads in the District;
- b) establishment of three classes of livestock movement along roads;

Refer Table 1 of this appendix:

- Permitted; on rural roads carrying little traffic, where the frequency of livestock droving is low and the distance driven is less than 10km;
  - Conditional; on rural roads carrying moderate traffic, where the frequency of livestock droving is also moderate and the distance driven may be over 10km;
  - Restricted; on urban or rural roads carrying large traffic volumes and/or high frequency of livestock droving.
- c) evaluation of livestock movements along public roads to be against specified criteria;
  - d) establishment of a Livestock Droving Permit for specific or irregular movement of livestock along any public road with an average annual daily traffic volume greater than 50 vehicles per day for a distance greater than 10 km or that is conditional for livestock movements in accordance with this appendix;
  - e) setting of charges to cover the costs of administration and monitoring; and
  - f) administrative mechanisms for the operation of this clause.

### **3. COMPLIANCE WITH THE BYLAW**

#### **3.2.1 Control of Livestock Movements**

##### **3.2.1.1**

No person shall:

- a) move, or cause, or allow to be moved, any livestock to which the provisions of this bylaw apply except in accordance with the provisions of this bylaw; or
- b) move, or cause, or allow to be moved, any livestock on a road restricted to the movement of livestock by this bylaw.

#### **3.2.2 Council May Restrict Movement**

##### **3.2.2.1**

In the event that an authorised officer considers it necessary to close or restrict access to any road as a result of obstruction from road works, flooding, landslide, civil emergency or any other event, the authorised officer shall have discretionary power to halt or divert any movement of livestock from the use of that road notwithstanding any prior permit for movement of livestock on that road.

### **4. PROCEDURE**

#### **4.1 Livestock Droving Permits**

##### **4.1.1 Livestock Droving Classification**

Livestock movement along roads (droving) shall be classified as follows:

(Refer Table 1 of this appendix)

##### **4.1.1.1 Permitted**

A livestock movement along a road that is permitted within the terms of this bylaw shall not require the application for or the issuing of a permit.

To be classed as a permitted livestock movement along a road under this bylaw the nature and characteristics of the movement shall comply with the following:

- a) The number of animals being moved along the road shall not exceed the permitted maximum appropriate to the average daily traffic (ADT) volume on the road on the route having the highest ADT as indicated on Table 1; and the number of animals being moved along the road at any one time shall not exceed either 3000 sheep or 600 cattle;

- b) the number of livestock movements along the road not to exceed 10 in any month;
- c) no livestock movement along the road shall begin or continue outside the hours of daylight;
- d) a minimum of 250m advance warning of the stock shall be provided. Advanced warning shall comprise a minimum of 100m of unimpeded visibility between any approaching vehicle on the open road and the sign warning of the hazard (stock) ahead. The warning sign shall be a minimum of 150m in advance of the stock. Where a posted speed limit of less than 100km/hr applies then the required minimum advanced warning distances can be reduced (refer Diagram 1); and
- e) the roads on which the drove takes place are rural roads with a posted limit of greater than 80km/hr.

#### **4.1.1.2 Conditional**

Any livestock movement along the road that is conditional within the terms of this bylaw shall require the application for and receipt of a current and valid livestock crossing permit. The conditional permit may list intermediate starting and finishing points along a specified route. All stock droving along the route including between intermediate points shall comply with the conditional permit requirements.

A conditional livestock droving permit is issued where at least one characteristic of the number of animals or the traffic volume or the number of movements in any month, or droving distance, or a characteristic specific to the location or timing of the drove, exceeds the limits for a permitted livestock movement along the road but where no characteristic exceeds the limits for a restricted livestock movement along the road.

#### **4.1.1.3 Restricted**

Any livestock movement along the road that is restricted within the terms of this bylaw shall require the application for and receipt of a current and valid livestock droving permit specific to the location, timing and size of the livestock movement.

The Council shall, where it deems necessary, apply appropriate specific conditions to livestock droving permits issued for a livestock movement along the road restricted within the terms of this bylaw.

A livestock movement along the road shall be classed as restricted under this bylaw where the characteristics of the movement are as follows:

- a) The number of animals being moved exceeds either 3000 sheep or 600 cattle on the road at any one time; or
  - b) the number of livestock movements along the road exceeds 20 in any month;
- or

- c) less than 100m of unimpeded visibility is present between any approaching vehicle on the open road and the sign providing advanced warning of the moving stock, or less than 150m distance between the advanced warning sign and the moving stock (refer Diagram 1); or
- d) the proposed stock movement is on a restricted road section described in clause 4.1.2 below.

The following table summarises the parameters used to identify the permit types:

**TABLE 1**  
**Livestock Droving Permit Characteristic Limits**

Characteristic	Permitted	Conditional	Restricted
<b>Characteristics to be Met</b>	<b>All listed below</b>	<b>All listed below</b>	<b>Any listed below</b>
Rural (Speed Limit >80km/hr)	Rural	Rural	Urban
Listed Restricted Rural Roads (refer note 4)	No	No	Yes
Stock Droving Frequency	Less than 10/month	Less than 20/month	More than 20/month
Average Annual Daily Traffic (AADT)	Less than 50 vpd Refer Map 1	Less than 800 vpd	Greater than 800 vpd
Herd Size Mob size	Less than 600 cattle or Less than 3000 sheep	Less than 600 cattle or Less than 3000 sheep	More than 600 cattle or More than 3000 sheep
Drove Distance	Less than 10km	More than 10km	

**Notes**

- 1 Stock droving frequency refers to the number of herd/mob movements as a group
- 2 AADT is the volume of vehicle traffic recorded in the Council RAMM database.
- 3 VPD is the number of vehicles per day.
- 4 Restricted Rural Roads;  
State Highway 1, 90, 93, 94 and 96

#### **4.1.2**

The following roads or parts thereof here specified shall require a restricted permit for livestock movements:

- a) All sections of urban roads with a posted speed restriction of less than 80km/hr (described in Schedules 1 to 6 and map numbers GDC 1670/1 & 2 of the Gore District Council Roding Bylaw)
- b) All sealed sections of the high traffic volume rural roads listed below:
  - State Highway 1
  - State Highway 90
  - State Highway 93
  - State Highway 94
  - State Highway 96
- c) All proposed droving routes where the characteristics of the route described in clause 4.1.1.3 of this appendix are met.

#### **4.1.3 Exemptions**

##### **4.1.3.1**

Livestock movements along public roads that are the result of an emergency, such as flooding or fire, landslide damage to fences, or similar, or for the purposes of returning wandering or loose livestock to the owner's property or to a temporary pound, shall be exempt from clause 4.1.1.

##### **4.1.3.2**

Where livestock are moved onto a road to graze it and are securely contained by temporary fencing or similar measure to ensure that no animal intrudes onto or across the carriageway while grazing within the road adjacent to the livestock owner's property, and such road is not prohibited for livestock movements by this bylaw, and the livestock are within the road only during the hours of daylight, such livestock movement shall be exempt from clause 4.1.1.

#### **4.1.4 Application for Livestock Droving Permit**

##### **4.1.4.1**

Every person who wishes to move livestock along a road regularly or frequently where livestock movement is conditional or restricted under clause 4.1.1, shall make an application to the Council for a livestock droving permit using the current prescribed application form obtainable from the Council no less than five (5) working days prior to the first intended movement of the livestock. The application shall not be approved unless all information required from the applicant has been provided.

#### **4.1.5 Fee to Accompany Application**

#### **4.1.5.1**

No fee shall be required unless the Council has signalled, following consultation through its Rural Working Party, in its Annual Plan, its intention to have a fee apply. The permit will not be issued until the application fee, if required by the Council, is paid.

#### **4.1.6 Consideration of an Application**

##### **4.1.6.1**

In considering any application for a permit and in imposing any conditions in the permit the Council shall take into consideration the:

- a) limits and maximum values for characteristics specified in table 1 traffic safety criteria, including traffic volume and sight distances;
- b) frequency or scale of any potential traffic hazard or obstruction or nuisance;
- c) social impact;
- d) environmental impact; and
- e) potential damage to the road or structures in the road.

#### **4.1.7 Decision on an Application**

##### **4.1.7.1**

The Council shall, within five (5) working days after receipt of all required information and applicable fees:

- a) grant the application as a livestock droving permit; or
- b) grant the application as a restricted livestock droving permit; and
- c) notify the applicant of any conditions attached to the permit.

##### **4.1.7.2**

Should the applicant consider that the conditions attached to the permit are unreasonable a review of the conditions by a suitably qualified, independent person may be requested in writing to the Council's Chief Executive.

#### **4.1.8 Conditions of Permit**

##### **4.1.8.1**

Any livestock droving permit may be granted subject to such conditions as the Council may impose, including but not limited to the:

- a) dimensions and placement of warning signs;

- b) use, colour and placement of warning lights;
- c) use, size and placement of road cones;
- d) number of competent persons required to be present;
- e) length of time for which other road users might be halted;
- f) removal of excrement from the carriageway and entrances to the road;
- g) specific times for drove;
- h) maximum number of livestock;
- i) meeting of any other conditions reasonably necessary to achieve or ensure compliance with this bylaw;
- j) evidence of current Public Liability Insurance coverage of at least one million dollars; and
- k) provisions to be made to protect frontages and private property neighbouring the stock movement route.

#### **4.1.9 Variation of Permit**

##### **4.1.9.1**

The Council may at any time during the term of a permit, by written notice to the permit holder, vary any condition within the permit to address such issues as a change in the:

- a) nature of the livestock drove;
- b) traffic volume; or
- c) legal requirements imposed on the Council.



#### **4.1.10 Compliance with the Permit**

##### **4.1.10.1**

The permit holder shall at all times comply with, and be responsible for compliance with, the conditions of the permit.

#### **4.1.11 Term of Permit**

##### **4.1.11.1**

Unless issued for a specific livestock movement a livestock droving permit shall be valid, unless revoked under clause 4.1.12 or 4.1.13, for a term of five (5) years.

#### **4.1.12 Suspension or Cancellation of Permit**

##### **4.1.12.1**

The Council may suspend or cancel any permit by giving twenty (20) working-days written-notice to the permit holder where it is in the public interest to do so or if the permit holder fails to comply with any condition of the permit.

#### **4.1.13 Summary Cancellation**

##### **4.1.13.1**

An authorised officer may suspend or cancel any permit immediately by giving written notice to the permit holder, if the:

- a) Council is lawfully directed to suspend or cancel the permit;
- b) permit holder disregards any conditions of the permit in a manner which the authorised officer determines may endanger the health or safety of any person or damage any part of the road or cause environmental degradation;  
or
- c) livestock movement is not effectively controlled to be in accordance with the requirements of a permit.

#### **4.1.14 Transfer or Termination of Permit**

##### **4.1.14.1**

When the permit holder of any property from which livestock is moved subject to a livestock droving permit ceases to occupy that property then this permit shall be at an end.

#### **4.1.14.2**

The permit holder shall not transfer the rights and responsibilities provided for under this bylaw and under the permit to any other party.

### **4.2 Administration**

#### **4.2.1 Council May Recover Costs**

##### **4.2.1.1**

The Council may set fees and charges for the recovery of the reasonable costs incurred for the:

- a) application process (refer clause 4.1.5.1 above);
- b) administration of the permit (refer clause 4.1.5.1 above);
- c) unscheduled maintenance or repair of the road or any part of the road due to damage caused by the livestock movement; and
- d) unscheduled maintenance to remove excessive livestock excrement from the road carriageway or any entrance to the road after the livestock movement.

#### **4.2.2 Fees and Charges**

##### **4.2.2.1**

In the event that the Council institutes a fee for the permit the permit holder shall pay all fees and charges payable to the Council for the reasonable costs of the administration of the permit, as set out in the Council's Schedule of Fees and Charges (refer clause 4.1.5.1 above).

The permit holder shall pay all fees and charges payable to the Council for the reasonable costs for any unscheduled maintenance to repair the road or any part of the road due to damage caused by the livestock or to remove excessive livestock excrement from the road carriageway or any entrance to the road.

#### **4.2.3 Offences and Penalties**

##### **4.2.3.1**

Every person who fails to comply with this bylaw or breaches any condition of a permit granted under this bylaw or fails to comply with any notice served under this bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable to a fine not exceeding \$20,000 under section 242(4) of the Local Government Act 2002.

#### **4.2.4 Transitional Provisions**

##### **4.2.4.1**

Every existing permit shall continue in force as if it were a permit under this bylaw until 1 July 2012. Any application for a permit to move livestock made under the Gore District Council's Roading Bylaw 1997 shall be deemed to be an application made under this bylaw.

**5. LIVESTOCK MOVEMENT PERMIT DIAGRAMS**

- Diagram 1 - Stock Droving Warning Sign Layout
- Map 1 - Rural Roads with Traffic Volumes up to 50 VPD

ORIGINAL SIZE A4 DO NOT SCALE - F. F. DOUBT. ASK

SERVER: \\NORCARGILL\csharsh\TAP\PMC

- NOTES.**
1. SUFFICIENT DROVERS IN ATTENDANCE AT ALL TIMES.
  2. ROAD SURFACE SHALL BE KEPT FREE OF DEBRIS AND EFFLUENT.
  3. ADVANCED WARNING DISTANCES ARE MINIMUM REQUIRED.
  4. DROVERS SHALL WEAR APPROVED HIGH VISIBILITY CLOTHING.
  5. PILOT VEHICLES SHALL HAVE ROOF OR POLE MOUNTED ORANGE FLASHING LIGHT OPERATING.

STOCK BEING MOVED

  
**STOCK SIGN (Temporary)**  
 TW-6A or TW-6.1A  
 (FOLDING SIGN) HIDDEN  
 WHEN NOT IN USE.  
 CAN BE MOUNTED ON  
 BACK OF PILOT VEHICLE

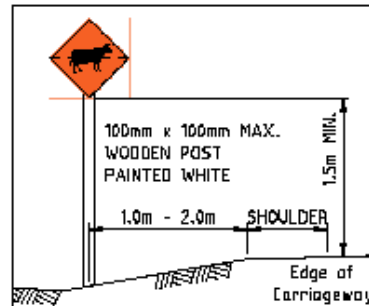
CLEAR SIGHT  
 DISTANCE OF SIGN  
 100m @ 100 kph

150metres @ 100kph

CLEAR SIGHT  
 DISTANCE OF SIGN  
 100m @ 100 kph

150metres @ 100kph

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 TW-6A or TW-6.1A  
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**SIGN INSTALLATION  
 REQUIREMENTS**

NOT TO SCALE

**NOT FOR CONSTRUCTION**

SCALES : N.T.S

DESIGNED	INT	DATE
DRAWN	P.J.C	02/11
CHECKED	M. HASLER	02/11
APPROVED		

STOCK DROVING

TRAFFIC MANAGEMENT PLAN



Show Stop <b>FOR APPROVAL</b>		
Date Recd <b>02/02/2011</b>		
Job No.	Draw No.	Rev.
21897206	G002	A

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## STOCK DROVING WARNING SIGNS

### Sign and Warning Device Requirements:

- The required signs are either a TW-6A (cattle) or a TW-6B (sheep); whichever is the most appropriate for the stock being moved.
- The sign may be a permanently mounted folding sign where the movement is a regular activity over a short distance. A full length stainless steel hinge is recommended.
- If the stock is being moved irregularly and/or over a long distance then signs may be mounted on approved temporary stands and shifted as necessary along the route or be mobile by mounting on accompanying pilot vehicles
- The symbol will be a black silhouette with a black border around a 750mm x 750mm diamond shaped sign (as per the Manual of Traffic Signs and Markings).
- The orange background will be a minimum High Intensity reflective material (class 1).
- Sign is to be manufactured to meet the standards specified in the RSMA Standard for the Manufacture and Maintenance of Traffic Signs, Posts and Fittings.
- An amber rotating flashing light shall be mounted on the roof or a pole on the accompanying pilot vehicles so as to be clearly visible in each direction.
- The sign shall be opened while stock is on the road.

### Installation Requirements:

- If permanently mounted signs shall be mounted on a 100mm x 100mm square treated wooden post. The post will be painted white.
- The post will be located 1.0m to 2.0m off the outside edge of the gravel verge.
- The height from the road level to the underside of the sign shall be 1.50m minimum.
- As near as possible the signs should be located as per the following table:

Traffic Speed	100 km/hr
Minimum distance from warning sign to the stock being moved	150m
Approaching drivers uninterrupted minimum viewing distance of the sign	100m
Minimum total warning distance	250m

**Note: The signs must always be folded down when not in use.**

**MAP 1**

**Gore District Roads with Traffic Volume of 50 Vehicles/Day or Less**

