

# Stock on Roads Bylaw 2017



# Christchurch City Council

## Stock on Roads Bylaw 2017

### Contents

<i>PREAMBLE</i> .....	3
1. SHORT TITLE AND COMMENCEMENT .....	4
2. PURPOSE .....	4
3. COVERAGE AND EXCLUSIONS.....	4
4. INTERPRETATION.....	4
5. RESTRICTED ROADS AND STOCK MOVEMENTS.....	5
(A) RESTRICTED ROADS.....	5
(B) DAIRY CATTLE AND NON-STANDARD STOCK MOVEMENTS.....	6
(C) ASSESSMENTS.....	6
6. ALL OTHER STOCK MOVEMENTS – STANDARD CONDITIONS .....	7
7. CATTLE STOPS.....	7
8. ESCAPED OR WANDERING STOCK .....	7
9. TEMPORARY ROADSIDE FENCING .....	8
10. CONTAMINATION OF THE ROAD SURFACE OR DAMAGE TO ROADS .....	8
11. EMERGENCY CONDITIONS AND EXTREME WEATHER EVENTS.....	9
12. SAFETY DIRECTIONS .....	9
13. PERMISSIONS UNDER THIS BYLAW .....	9
14. FEES.....	9
15. OFFENCE AND PENALTY .....	10
16. CHRISTCHURCH CITY COUNCIL GENERAL BYLAW .....	10
17. REVOCATIONS AND SAVINGS .....	10
<i>SCHEDULE ONE: STANDARD CONDITIONS FOR MOVING STOCK ALONG ROADS .....</i>	<i>11</i>
<i>SCHEDULE TWO: STANDARD CONDITIONS FOR MOVING STOCK ACROSS ROADS .....</i>	<i>13</i>

## **PREAMBLE**

*This bylaw applies to roads, or parts of roads, under the control of the Council. It does not cover roads such as State Highways, private roads, unformed roads (such as paper roads) and roads that are not maintained by the Council.*

*The movement of stock along or across rural roads is a necessary part of farming activities. While moving stock along or across roads has not been identified as a significant or frequently occurring traffic safety issue in the district, people moving stock along or across roads are expected to:*

- follow best practice;*
- take all reasonably practicable steps to keep road users, themselves and any workers, and stock, safe; and*
- take due care not to damage the road surface.*

*Other road users that may come across stock on roads are required to take due care when driving and to drive to the conditions, including anticipating hazards.*

*New Zealand Transport Agency (NZTA) indicates that, although there are relatively low numbers of accidents involving stock under control on roads generally, the two contributing factors in related road crashes are: insufficient warning distance; and inconsistent forms of warning. (Source: NZTA, 'Stock under control (crossing and droving)', April 2015)*

*This bylaw regulates the movement of stock along or across roads based on risk, and has different requirements for different types of roads and different types of stock. It also sets out, among other things, warning distances and standard forms of warning.*

*There are cattle stops in some remote locations, where stock are not confined to property by fences and are free to wander on the road. The bylaw makes allowance for these situations by ensuring permanent warning signs are in place to alert road users to the presence of uncontrolled stock, and by not placing any stock control requirements on the owner on roads in these areas.*

*Standard conditions for moving stock either along or across roads are outlined in the schedules attached to this bylaw. These standard conditions are based on NZTA's best practice guidance and are designed to be used for most stock movement situations on most rural roads. The standard conditions apply to moving sheep or non-dairy cattle.*

*For dairy cattle and all other types of stock, an assessment needs to be undertaken by Council staff. In-milk dairy cattle present a unique set of issues and risks that need to be managed, and as do stock other than cows or sheep.*

*An assessment by Council staff also needs to be undertaken for moving stock on restricted roads. Restricted roads are listed in a register associated with this bylaw, and have higher risks than other roads, such as higher operating speeds or traffic volumes.*

*An assessment is needed to determine the specific risks and ways of managing risks, with three possible outcomes: (1) the need for a permit, with conditions, or (2) the need for a traffic management plan, or (3) the risk may not be able to be sufficiently mitigated, in which case the stock may need to be moved without impacting on the road (such as transporting the stock in a vehicle).*

*The bylaw also covers temporary roadside fencing for grazing, or as a temporary stock race to move stock along the road but off the roadway.*

*There is a greater risk from uncontrolled stock on roads (such as escaped or wandering stock) than from stock that are being driven along or across a road in a controlled way, and this bylaw also seeks to complement the coverage of the Impounding Act 1955 by ensuring stock are adequately fenced.*

*This bylaw should be read with the relevant road user rules relating to stock on roads.*

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The Christchurch City Council makes this bylaw under sections 145 and 146 of the Local Government Act 2002 and section 22AB of the Land Transport Act 1998.

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## 1. SHORT TITLE AND COMMENCEMENT

- (1) This bylaw is the Christchurch City Council Stock on Roads Bylaw 2017. This bylaw comes into force on 1 March 2018.

## 2. PURPOSE

- (1) The purpose of this bylaw is to regulate the movement of stock on roads in order to protect people, traffic and stock, while safeguarding the condition of the road.

## 3. COVERAGE AND EXCLUSIONS

- (1) This bylaw generally applies to all roads where the Council is the Road Controlling Authority.
- (2) This bylaw does not apply to roads where the New Zealand Transport Agency is the Road Controlling Authority, except where the New Zealand Transport Agency (NZTA) has delegated to the Council its functions and powers as a Road Controlling Authority.
- (3) This bylaw does not apply to:
  - (a) private roads, unformed roads, or any roads that are not maintained by the Council; or
  - (b) stock that is being transported in a vehicle, or that is being ridden or led.

## 4. INTERPRETATION

- (1) Explanatory notes are not part of the bylaw, and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

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

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

APPROPRIATE TEMPORARY WARNING SIGN	means an orange temporary warning sign with a silhouette of a cow or sheep on it, referred to in the Land Transport Rule: Traffic Control Devices 2004, used to alert road users to the presence of stock on the road. For vehicle-mounted signs, the sign should be at least 600mm x 600mm. For a static sign, the sign should be at least 750mm x 750mm.
AUTHORISED OFFICER	means an officer or other person appointed by the Council to perform duties required under this bylaw, including an enforcement officer.
CATTLE STOP	means a metal grid installed across a road, allowing vehicles and pedestrians to pass, but not cattle and other animals.
COUNCIL	means the Christchurch City Council and includes any person authorised by the Council to act on its behalf.
DAYLIGHT HOURS	means any period of time between half an hour after sunrise on any one day and half an hour before sunset on the same day.
FRANGIBLE	means collapsible on impact and resulting in less damage than an unyielding object <i>and generally means able to be broken into fragments.</i>
HIGH-VISIBILITY CLOTHING	means personal protective equipment worn so workers can be easily seen by road users. A common example is a fluorescent orange sleeveless vest with reflective strips in a belt and braces configuration or a cross formation. High visibility clothing must comply with the joint Australia New Zealand Standard and with the Code of Practice for Temporary Traffic Management (CoPTTM).

NON-STANDARD STOCK	means any stock, (a) including, but not limited to: alpaca, deer, donkeys, goats, horses, llama and pigs, but (b) excluding cattle and sheep.
OWNER	includes the manager of the stock (or person otherwise responsible for the stock).
PILOT VEHICLE	means a motor vehicle that leads or follows the movement of stock along a road, with an amber flashing beacon and an appropriate temporary warning sign, and may be a truck, car, utility, quad bike, trike, or motorbike.
RESTRICTED ROAD	means any road or part of a road or category of road that is resolved by the Council under clause 5 of this bylaw, and is listed in the Restricted Roads Register associated with this bylaw.
ROAD	has the meaning given to that term in section 2(1) of the Land Transport Act 1998, <i>and generally includes the carriageway and roadside verges up to private property boundaries.</i>
ROAD CONTROLLING AUTHORITY	has the same meaning as in section 2(1) of the Land Transport Act 1998, <i>and generally means the organisation with control over a road, or a person acting under delegation or authorisation given by the controlling authority.</i>
ROADWAY	has the meaning given to that term in the Land Transport (Road User) Rule 2004 <i>and generally means carriageway, or portion of the road that is used for vehicles, but excludes the grassed roadside verges.</i>
STOCK	means any farmed animal, including, but not limited to cattle, sheep, alpaca, deer, donkeys, goats, horses, llama and pigs.
TRAFFIC MANAGEMENT PLAN	means a document approved by the Council describing the design, implementation, management and removal of temporary traffic management measures (such as signs, flashing beacons and cones) while an activity or event is taking place within the road or adjacent to and affecting the road. This includes plans prepared for one-off events and generic plans to cover activities carried out frequently.
WANDERING	with respect to stock, means any stock that is not under direction or control.

## 5. RESTRICTED ROADS AND STOCK MOVEMENTS

### (A) RESTRICTED ROADS

- (1) For the movement of any stock along or across a Restricted Road, the stock owner must apply to the Council for an assessment.

*Explanatory note: Refer to the Restricted Road Register for the list of restricted roads. Moving any stock along or across some roads presents higher risks (for example, those with faster operating speeds or higher traffic volumes). For these roads, an assessment is required on a case-by-case basis to ascertain the specific risks and appropriate risk mitigation measures. A permit or traffic management plan will set out the measures required to address specific risks identified by the assessment.*

- (2) The Council may resolve any road, section of road, or category of road to be a Restricted Road for the movement of stock.

*Explanatory note: All roads, sections of road, or categories of road resolved under this clause will be listed in a Restricted Roads Register associated with this bylaw.*

- (3) The Council may subsequently amend or revoke any resolution made under subclause (2).

## **(B) DAIRY CATTLE AND NON-STANDARD STOCK MOVEMENTS**

- (1) For the movement of in-milk dairy cattle along or across any road, the stock owner must apply to the Council for an assessment.

*Explanatory note: The risks of moving in-milk dairy cattle on roads present additional or different risks to other stock movements. The three main reasons are the tendency for in-milk dairy cows to produce significant manure, frequent or regular road use (eg to and from milking, sometimes twice a day), and the timing of road use / milking tending to be early or late in the day, when visibility can be poorer. Additionally, weather conditions may impact on the road surface. These factors require special consideration on a case-by-case basis to ascertain the risks and appropriate risk mitigation measures. Any permit relating to the movement of in-milk dairy cattle will also include an agreement about keeping the road clean of faecal matter.*

- (2) For the movement of any non-standard stock along or across any road, the stock owner must apply to the Council for an assessment.

*Explanatory note: The risks of moving some types of stock along or across any road are higher, or present additional or different risks that need to be managed. This requires special consideration on a case-by-case basis to ascertain the risks and appropriate risk mitigation measures.*

## **(C) ASSESSMENTS**

- (1) The application for an assessment must set out:

- (a) the sections of road(s) concerned; and
- (b) the likely timing and frequency of the movement(s); and
- (c) the type of livestock, and likely numbers; and
- (d) the ratio of stock to people (or working dogs) controlling the stock; and
- (e) proposed warning methods, such as pilot vehicles, signs, amber flashing beacons or other traffic control devices, and how, when and where they will be deployed or displayed, and removed; and
- (f) other matters the owner or Authorised Officer considers relevant.

*Explanatory note: The requirement to undergo an assessment process with the Council aligns with requirements in the Health and Safety at Work Act 2015, which require persons conducting a business or undertaking (PCBUs) to consult with each other to manage risks. Both the Council and farmers are considered PCBUs for stock movements on roads under the Council's control.*

*A permission may apply to one stock movement or to a series of stock movements. It may apply for a number of years (for example, where the stock movements are expected to be similar and repeated). This depends on the situation. The wording of this clause is deliberately flexible to allow for a range of permitting scenarios. Also see clause 13 for permissions.*

- (2) After considering an application for an assessment, the Council may decide to :

- (a) authorise the movement of stock in accordance with:
  - (i) a permit; or
  - (ii) a permit and an approved Traffic Management Plan; or
- (b) decline the application, in which case alternative means for transporting the stock that does not affect the road must be considered, such as transporting the animals by vehicle.

*Explanatory note: See clause 13 for permissions.*

- (3) If the Council has considered an assessment and made a decision, the applicant must comply with the decision, and may not undertake the movement of stock unless the conditions in the permit or Traffic Management Plan are complied with.

## **6. ALL OTHER STOCK MOVEMENTS – STANDARD CONDITIONS**

- (1) This clause applies to the movement of cattle and sheep (but not the movement of in-milk dairy cattle or non-standard stock) along or across any road not listed on the Restricted Roads Register.
- (2) A person moving stock along a road must comply with the conditions set out in Schedule one: Standard Conditions for moving stock along roads.
- (3) A person moving stock across a road must comply with the conditions set out in Schedule two: Standard Conditions for moving stock across roads.

## **7. CATTLE STOPS**

- (1) A stock owner may move stock along or across an unfenced road or parts of a road where stock are confined by cattle stops without complying with the conditions set out in Schedules one and two.

*Explanatory note: Cattle stops are present in remote areas where there are no property boundary fences along the roadside. Stock have access to roam on the road and are confined only by the cattle stops across the road. In these situations road users must anticipate the possibility of stock being on the road, whether being driven or not, and the presence or potential for stock to be on or near the road is part of the normal operating condition of these roads.*

- (2) Subclause 7(1) does not apply to stock movements on any Restricted Road.

*Explanatory note: Although stock are free to wander on Summit Road (as it is unfenced and contains cattle stops), the operation of the road means that any controlled stock movements or droves must be discussed with the Council. Summit Road has been resolved as a Restricted Road.*

- (3) In accordance with section 344 of the Local Government Act 1974, no person may install, maintain or remove cattle stops on a road without the written permission of the Council.

*Explanatory note: The process for seeking written permission from the Council is set out in an operational policy (based on section 344 of the Local Government Act 1974). Cattle stop installation, maintenance or removal may only be undertaken by approved roading contractors and in accordance with specifications agreed by the Council.*

## **8. ESCAPED OR WANDERING STOCK**

- (1) Every stock owner must take all reasonable steps to prevent the stock from escaping and wandering on any road (except on those parts of a road controlled by cattle stops), including ensuring boundary fences are able to adequately contain the stock.

*Explanatory note: Fencing should be kept in good order and should be appropriate for the type of stock it is intended to confine. Enforcement action in response to wandering stock may also be taken under the Impounding Act 1955.*

## 9. TEMPORARY ROADSIDE FENCING

*Explanatory note: This clause applies whether the fencing is to contain stock that are grazing, or as a form of temporary stock race constructed so that stock can be moved alongside the road, rather than on the roadway.*

- (1) No person may erect a temporary fence for roadside grazing or to move stock along a road without permission from the Council.

*Explanatory note: Permission from the Council for temporary roadside fencing is to enable the Council to coordinate the roading network. Activities or events (for example, mowing, spraying, road maintenance, or public events) may impact on the appropriateness or safety of roadside grazing.*

- (2) A temporary fence to contain stock on a roadside verge must:
  - (a) be appropriate and adequate for the type of stock it is intended to contain;
  - (b) have frangible posts;
  - (c) display safety reflectors on each post to warn oncoming traffic (if the temporary fence is to be left in place overnight);
  - (d) display 'live wire' warning signs if it is electrified;
  - (e) be at least one and a half (1.5) metres from the carriageway;
  - (f) be at least two (2) metres from any waterway; and
  - (g) not remain in place for more than a calendar month, without written permission from an Authorised Officer.
- (3) A temporary fence to contain stock on a roadside verge may only be installed on one side of a road at a time.
- (4) A stock owner must return the stock to a secure paddock area overnight and the stock must not remain in a temporary fencing area on a roadside verge outside of daylight hours. The stock owner must complete the return of the stock to the secure paddock area within daylight hours.
- (5) If the stock owner wishes to graze stock on the roadside verge immediately adjacent to land which is owned or controlled by another person (eg a neighbour), permission must be sought from the other person.
- (6) Where there are any safety or other issues, or complaints about roadside verge grazing or stock movements, the Council may require that the temporary use be suspended and the stock returned to a secure paddock area.

## 10. CONTAMINATION OF THE ROAD SURFACE OR DAMAGE TO ROADS

- (1) Where contamination (by mud or faeces) is caused by stock, the Council may direct the stock owner to clean the road surface to the Council's satisfaction, or the Council may clean the road surface and recover the costs from the stock owner.

*Explanatory note: Mud or faeces on the road surface can reduce traction and present a hazard to motorists, and motorbike riders in particular. It can also damage the road surface.*

- (2) Where damage to any road is caused by stock, the Council may repair the damage and recover the costs from the owner of the stock.

*Explanatory note: Repairs to the road surface can only be undertaken by approved roading contractors.*



## **11. EMERGENCY CONDITIONS AND EXTREME WEATHER EVENTS**

- (1) Clauses 5 and 6 of this bylaw do not apply in emergency conditions (such as fire) or in extreme weather events (such as snow or flooding), where animals must be moved to ensure their welfare.
- (2) All reasonable and practicable steps (in the circumstances) must still be taken to warn road users of the presence of stock on the road.

## **12. SAFETY DIRECTIONS**

- (1) Any Authorised Officer may give directions to a stock owner, where that stock owner is moving stock along or across any road, if the Authorised Officer believes on reasonable grounds that such directions are desirable in the interests of road safety, or for the convenience or in the interests of other road users.
- (2) Any stock owner who is given directions by an Authorised Officer under this clause must comply with those directions.

## **13. PERMISSIONS UNDER THIS BYLAW**

*Explanatory note: Permissions under this bylaw may relate to assessments (for moving stock on Restricted Roads, or moving non-standard stock on any road), or to roadside grazing.*

- (1) An application for assessment or permission under this bylaw must be in writing, contain all the necessary information, and be submitted in accordance with applicable Council policy.
- (2) An Authorised Officer determining an application for assessment or permission may require the applicant to provide further information (for example a Traffic Management Plan) in order to make an assessment or give permission.
- (3) Any permission under this bylaw may be granted by an Authorised Officer at the Officer's discretion; and may –
  - (a) include conditions; and
  - (b) apply for such time period as the Officer considers appropriate; and
  - (c) be in electronic form.

*Explanatory note: The Authorised Officer(s) with delegated authority to issue permits is set out in the Council's Delegations Register, which can be accessed by searching the Council's website.*

- (4) The Council may, in its discretion, at any time, review any permission given under this bylaw.
- (5) Any breach of the conditions of a permission granted under this bylaw:
  - (a) may result in the permission being withdrawn (in accordance with the Council's General Bylaw); and
  - (b) is a breach of the bylaw.
- (6) A stock owner must comply with any instruction given by an Authorised Officer irrespective of any permissions under this bylaw.

## **14. FEES**

- (1) The Council may set application fees for assessments or permissions under this bylaw and any application must be accompanied by the relevant application fee (if any).

- (2) Any fees will be included in the Council's Annual Plan or Long Term Plan and will be reviewed each year.
- (3) Failure to pay any applicable fees is a breach of this bylaw.

## **15. OFFENCE AND PENALTY**

- (1) Every person who breaches this bylaw commits an offence and is liable on conviction to a fine not exceeding \$20,000, as set out in the Local Government Act 2002, or to the penalties set out in the Land Transport Act 1998, as the case may be.

## **16. CHRISTCHURCH CITY COUNCIL GENERAL BYLAW**

- (1) The provisions of the Christchurch City Council General Bylaw 2008 and any bylaw passed in amendment or substitution are implied into and form part of this bylaw.

## **17. REVOCATIONS AND SAVINGS**

- (1) The Christchurch City Council Stock Control Bylaw 2008 is revoked.
- (2) Any permission, agreement, consent, licence or any other act of authority which originated under the Christchurch City Council Stock Control Bylaw 2008, or which was continued by that bylaw, and which is still in force at the commencement of this bylaw, continues to have full force and effect for the purposes of this bylaw.
- (3) This bylaw is implied into and forms part of any permission, agreement, consent, licence or any other act of authority continued by this clause.
- (4) The revocation of the Christchurch City Council Stock Control Bylaw 2008 does not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw and such proceedings continue to be dealt with and completed as if that bylaw had not been revoked.

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*The initial resolution to make this bylaw was passed by the Christchurch City Council at a meeting of the Council held on 3 August 2017 and was confirmed, following consideration of submissions received during the public consultation process, by a resolution of the Council at a subsequent meeting of the Council on 23 November 2017.*

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### **FURTHER EXPLANATORY NOTES**

*Horse manure on roads: Under the Road User Rules, horses should be ridden as far left as possible, on the road margin, and cannot be ridden on a footpath, lawn, garden, or other cultivation adjacent to or forming part of a road. Horse riders should remove horse manure from the roadway when and where it is safe to do so – if the manure presents a road safety or amenity issue. Any riding school, club or horse-related business should consider any impacts on other local road users and clean up accordingly, when and where it is safe to do so.*

## **SCHEDULE ONE: STANDARD CONDITIONS FOR MOVING STOCK ALONG ROADS**

NOTE: Standard Conditions do not apply to roads identified on the Restricted Roads Register

- (1) Every person driving stock on any part of a road must wear appropriate high visibility clothing that enables them to be clearly visible to approaching drivers.
- (2) The stock owner must ensure that the stock are under good control and can be directed or stopped, as required. The ratio of drovers to stock must be sufficient, and may include working dogs.
- (3) No person may place anything on or across the roadway to control stock (such as string, rope, wire, tape or any other obstruction) that could present a traffic safety hazard.
- (4) Every person driving stock along a road must:
  - (a) keep the animals moving at a reasonable speed so as to make progress towards the destination; and
  - (b) cause the least possible disruption to other road users and take all reasonable steps to make way for or allow vehicles to pass through the stock; and
  - (c) take the most practicable route; and
  - (d) ensure that any gates to any adjoining properties have been closed before the stock pass; and
  - (e) take all reasonable steps to ensure that where no gate or boundary fence exists, stock are kept on the road and off any adjoining property.
- (5) The stock owner must ensure that all reasonable steps are taken to clean the roadway free of faecal matter as soon as practicable, if that faecal matter could cause a road nuisance or a road safety issue.

*Explanatory note: Also see clause 10 on contamination of the road surface and damage to roads.*

- (6) The time chosen for the movement of stock along any road should, as much as possible:
  - (a) avoid any anticipated or likely busy periods for road use; and
  - (b) be completed within daylight hours.
- (7) Stock should not be moved along roads in reduced visibility conditions. Where the movement of stock in reduced visibility conditions is unavoidable, additional and reasonable safety precautions should be put in place to manage the increased risks from reduced visibility.

*Explanatory note: Reduced visibility conditions include fog, mist, low cloud, rain, drizzle, during times of sun strike, and in times of low light. Situations where the movement of stock is unavoidable may include: where the movement of stock is necessary for their welfare, or returning escaped or wandering stock to a secure paddock area (though for small numbers of stock, transportation in a vehicle may be safer). Also see clause 11 on emergency conditions and extreme weather events.*

- (8) The stock must be led by a pilot vehicle and followed by a pilot vehicle (unless clause 10 or 11 of this Schedule applies). The pilot vehicles must:
  - (a) lead and follow the stock as they move along the road, maintaining a distance that is three times the posted speed limit in metres from the stock; and
  - (b) display a flashing amber beacon and an appropriate temporary warning sign; and

- (c) be visible to oncoming traffic (by ensuring pilot vehicles can be seen by oncoming traffic at a distance that is three times the posted speed limit in metres).

*Explanatory note: For example, in an open road area, the pilot vehicles should aim to maintain a distance of  $3 \times 100\text{kph} = 300$  metres from the moving stock in either direction along the road. In a  $70\text{kph}$  area, the pilot vehicles should aim to maintain a distance that is  $3 \times 70\text{kph} = 210$  metres in either direction along the road from the moving stock. These distances are based on New Zealand Transport Agency best practice.*

*It should be noted that pilot vehicles are primarily for warning oncoming motorists, not for controlling stock.*

- (9) Where an operating speed has been designated for a road (that is different to the posted speed limit), the pilot vehicles may lead and follow (and be visible to oncoming traffic) at a distance that is three times the operating speed from the stock, rather than three times the posted speed limit from the stock.

*Explanatory note: Check with the Council to see if an operating speed has been designated for the road in question. Requests can be made to designate an operating speed.*

- (10) Where the distance the stock are being moved along a road is less than 300 metres, the conditions for moving stock across a road apply (see Schedule two).

*Explanatory note: Generally this means pilot vehicles are not required, but stationary signs need to be used.*

- (11) When moving stock along an unsealed road (shingle, gravel or metalled road):

- (a) pilot vehicles are not required (but may be used); and
- (b) appropriate temporary warning signs must be placed at the start and end of the movement, in a position that is clearly visible to approaching drivers, either:
  - (i) displayed on a folding stand placed at the side of the road (off the roadway); or
  - (ii) mounted on a safely parked vehicle; and
- (c) if the distance is more than three and a half kilometres (3.5km), the supplementary temporary warning sign "NEXT 4 KM" must also be used at the start and end of the movement, displayed in a position that is clearly visible to approaching drivers, and at four kilometre intervals for a longer drive.

*Explanatory note: The appropriate temporary warning signs (cattle or sheep silhouette, and 'next 4 km' sign) must be positioned together at the start and end of the stock movement, facing the oncoming traffic. On an unsealed road the operating speed is assumed to be  $50\text{kph}$ , which means the signs should be placed 150 metres from the stock movement in either direction. For a long stock movement, it may be helpful to reposition the signs, as needed, or to have additional signs along the route.*

- (12) It may be appropriate to construct a temporary fence on the roadside verge to move stock along a section of road, rather than moving stock down the roadway. In this case, clause 9 of the bylaw applies.

- (13) Where a drove passes a side road or through an intersection, the person responsible for the drove must ensure that:

- (a) additional appropriate temporary warning signs are used to adequately warn road users of the presence of stock on the road, and are placed on the left-hand side of the side road in a position clearly visible to oncoming traffic, but off the roadway; or

- (b) a person who is part of the drove and wearing high visibility clothing is visible at the intersection and can communicate the presence of stock on the road to road users.
- (14) Signs or beacons must not be displayed unless a stock movement is imminent, actively occurring, or just completed.

*Explanatory note: Warnings lose their impact when they are displayed when there is no hazard. Signs and beacons are only to be displayed or used when they need to warn motorists of a hazard.*

## **SCHEDULE TWO: STANDARD CONDITIONS FOR MOVING STOCK ACROSS ROADS**

*NOTE: Standard Conditions do not apply to roads identified on the Restricted Roads Register*

- (1) Every person droving stock on any part of a road must wear appropriate high visibility clothing that enables them to be clearly visible to approaching drivers.
- (2) The stock owner must ensure that the stock are under good control and can be directed or stopped, as required. The ratio of drovers to stock must be sufficient, and may include working dogs.
- (3) No person may place anything on or across the roadway to control stock (such as string, rope, wire, tape or any other obstruction) that could present a traffic safety hazard.
- (4) The stock movement should be undertaken in such a way as to cause the least possible disruption to other road users, and the owner must take all reasonable steps to make way for or allow any vehicles to pass through the stock and proceed along the road.
- (5) The stock owner must ensure that all reasonable steps are taken to clean the roadway free of faecal matter as soon as practicable, if that faecal matter could cause a road nuisance or a road safety issue.

*Explanatory note: Also see clause 10 on contamination of the road surface and damage to roads.*

- (6) The time chosen for the movement of stock across any road should, as much as possible:
  - (a) avoid any anticipated or likely busy periods for road use; and
  - (b) be completed within daylight hours.
- (7) Stock should not be moved across roads in reduced visibility conditions. Where the movement of stock in reduced visibility conditions is unavoidable, additional and reasonable safety precautions should be put in place to manage the increased risks from reduced visibility.

*Explanatory note: Reduced visibility conditions include fog, mist, low cloud, rain, drizzle, during times of sun strike, and in times of low light. Situations where the movement of stock is unavoidable may include: where the movement of stock is necessary for their welfare, or returning escaped or wandering stock to a secure paddock area (though for small numbers of stock, transportation in a vehicle may be safer). Also see clause 11 on emergency conditions and extreme weather events.*

- (8) An appropriate temporary warning sign must be displayed to warn drivers approaching from either direction of the stock movement.
- (9) Warning signs must be positioned so as to be clearly visible to road users approaching the crossing area from either direction, and must be displayed at a distance that is three times the posted speed limit in metres.

*Explanatory note: For example, in an open road area, the signs should be placed  $3 \times 100\text{kph} = 300$  metres from the crossing area in either direction. In a  $70\text{kph}$  area, the signs should be placed  $3 \times 70\text{kph} = 210$  metres from the crossing area in either direction. These distances are based on New Zealand Transport Agency best practice.*

- (10) Where an operating speed has been designated for a road (that is different to the posted speed limit), the signs may be placed at a distance that is three times the operating speed from the stock crossing area, rather than three times the posted speed limit from the stock crossing area.

*Explanatory note: Check with the Council to see if an operating speed has been designated for the road in question. Requests can be made to designate an operating speed.*

- (11) An appropriate temporary warning sign must be:

- (a) displayed on a folding stand placed at the side of the road facing oncoming traffic (off the roadway, but clearly visible to approaching drivers); or
- (b) mounted on a vehicle safely parked in a position that is clearly visible to approaching drivers; or
- (c) permanently mounted on a white post installed by a roading contractor (with the Council's permission), which allows a hinged sign to be displayed when the crossing is occurring, and folded away when the crossing is not occurring.

- (12) A vehicle-mounted flashing amber beacon may be an additional appropriate warning device. If using this method, the vehicle should be parked safely in a position that is clearly visible to approaching drivers.

- (13) Signs or beacons must not be displayed unless a stock movement is imminent, actively occurring, or just completed.

*Explanatory note: Warnings lose their impact when they are displayed when there is no hazard. Signs and beacons are only to be displayed or used when they need to warn motorists of a hazard.*