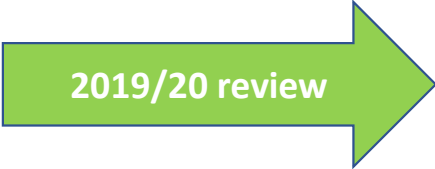


Stock Movement & Grazing Bylaw and Stock Underpass Policy

Deliberations Report

Outline of bylaw review

Traffic Safety and Road Use Bylaw 2015



Draft Stock Movement and Grazing Bylaw 2020

Stock Underpass Policy 2020

Traffic Safety & Road Use Bylaw 2021 (minus Part 5)

Controls:

- Stock movements
- Stock crossings

Covers:

- Stock underpasses

Recommendation 1 – Cite source for Appendix 2 diagram

- **Proposed change:** Cite the New Zealand Transport Agency Code of Practice for Temporary Traffic Management as the source of the diagram contained in Appendix 2.
- **Reason for change:** For improved clarity as to the source of these requirements (NZTA).

Recommendation 2 – Appendix 2 diagram annotation

- **Proposed change:** Include an annotation in Appendix 2 to clarify that the stock shown being droved on left-hand side of road is for diagrammatic purposes only and there will be no requirement to keep stock to the left-hand side of the road when droving.
- **Reason for change:** For improved clarity.

Recommendation 3 – Stock excrement removal

- **Proposed change:** Amend Clause 8.2(j) to read:

“All reasonable steps are taken to remove excessive Stock excrement from the Road after each Stock movement”

- **Reason for change:** For improved clarity in respect of the extent of road cleaning required by the Bylaw.

Recommendation 4 – Improved clarity around ‘visibility’

- **Proposed change:** Amend Clause 8.2(b) to read:
“Stock Droving occurs only during the Hours of Daylight and ~~where~~ when
weather and light conditions allow for visibility is greater than 100 metres””
- **Reason for change:** Provide clarity on what is meant by “visibility”.

Recommendation 5 – Maximum stock that can be moved

- **Proposed change:** Amend Clause 8.2(d) to read:
“The number of Stock in any one mob does not exceed ~~450~~ 600 head of cattle or ~~1000~~ 3,000 head of sheep”
- **Reason for change:** To align policy with industry best practice.

Recommendation 6 – Driving stock past road-side grazing

- **Proposed change:** Amend clause 8.2 (i) to read:

“Where Stock ~~may not be~~ are driven past Stock that are grazing, enclosed within an area of Temporary Fencing on the roadside, all reasonable precautions should be taken to prevent disturbance of Stock that are Roadside Grazing.”

- **Reason for change:** The requirement (to get another farmer to move their stock from the roadside before undertaking any stock droving movement) set out the draft bylaw was not practical and would unnecessarily impinge on farming operations.

Recommendation 7 – Traffic Management Plans (stock droving)

- **Proposed change:** Amend clause 8.3 to read:

“The measures proposed for traffic management in accordance with clause 8.2(g) are to be set out in a Traffic Management Plan submitted to Council no later than ten (10) days prior to the first planned Stock Droving movement. Once approved, the Traffic Management Plan will be valid for 3 years, subject to review from time to time, or as changes in conditions require.”

- **Reason for change:** The requirement set out in the draft bylaw to submit a Traffic Management Plan a minimum of 10 days before each stock movement was not practical and would unnecessarily impinge on farming operations.

Recommendation 8 – Stock underpasses

- **Proposed change:** Amend clause 11.3 to read:

“Upon receipt of a Stock Crossing Permit application Council will assess whether the construction of a Stock Underpass would better meet the purpose of the Bylaw, ~~and will advise the applicant in Writing of the outcome of this assessment.~~ In cases where the construction of a stock underpass would better meet the purpose of the Bylaw, Council will recommend to the applicant that they consider the installation of an underpass.”

- **Reason for change:** For improved clarity (that Council cannot compel a landowner to construct a stock underpass).

Recommendation 9 – reference to CoPTTM Standards

- **Proposed change:** Clause 11.4(a)(ii): Delete reference to reference to “TF1 as per CoPTTM Standards”, in clause 11.4(a)(ii).
- **Reason for change:** To remove extraneous detail, or information not readily understood by a non-specialist.

Decision point – Tethering of Stock

- Council may wish to consider reviewing clause 26 (Tethered stock) in response to the large number of submissions on this issue (23)

Recommendation 10 – Stock Underpass Policy

- **Proposed change:** Review paragraph 6.4 of the draft policy to ensure that it is both fair and workable, as follows (subject to legal review):

In the event a Stock Underpass is made redundant through the sale of property on one or both sides of a Road and the Records to Title to the burdened land are not in common ownership, then the obligations set out in the Covenant shall be ~~joint and several~~ shared.

(Wording in sample covenant included as Annex in Policy will also need to be revised accordingly)

- **Reason for change:** To ensure that the policy is both fair and workable.