

STOCK MOVEMENT GUIDELINES

1.0 OBJECTIVES

1.1 The objectives of these guidelines include:

- The safety of road users
- The protection of the structure and surface of roads
- To encourage farmers to protect road surface by means of mat or other coverage to minimise contact of stock excrement on road surface
- The prevention of roads being used as races
- To encourage farmers to install underpasses where practical and possible, as a more acceptable means of shifting stock from one side of the road to another
- To encourage farmers extending their operations and contemplating the purchase of neighbouring properties which may be separated from their existing farm by a road, another property, a water course, or other form of division, to give serious consideration to the manner in which the operation is to be conducted, and plan to minimise the use of public roads for the passage of stock.

2.0 INTERPRETATION

2.1 In these guidelines, unless inconsistent with the context,

Authorised Officer means an appointee of the Council appointed to carry out general or specific duties arising from any of the provisions of these guidelines.

Berm means the edge of a road reserve between the kerb or surface water channel and property boundary.

Carriageway means that portion of the road devoted particularly to the use of travelling vehicles, including shoulders.

Council means the Carterton District Council.

Dairy cattle means and includes any cow used to produce dairy products.

Farm means an area of land which is used exclusively or principally for the purposes of agriculture and includes any contiguous parcels of land under the same ownership.

Hours of darkness means any period of time between half an hour after sunset on one day and half an hour before sunrise on the next day.

Mob means a group (more than one) of stock, being driven from one place to another.

Permit holders means the person responsible for stock (in respect to roadside grazing or tethering).

Pilot vehicles means and includes any motor cycles, 4 wheel farm bikes, cars, utility vehicles, tractors, or trucks operating and moving with hazard lights in operation in front of or behind the mob, or in some circumstances person on horseback or on foot.

Public Place means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether or not the owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and includes any beach, foreshore, reserve or domain or road reserve.

Races means confined areas for moving stock from one location to another location.

Regular basis means more than 14 times within any calendar month, for cattle retained for milk production.

Road means a road as defined in Section 2 of the Transport Act 1962 and located within the area of jurisdiction of the Carterton District Council.

Stock means both farmed and kept animals.

Stock crossing permit means a written consent issued by the Council for the droving of stock across or along a road on a regular basis.

Stock race means a confirmed area for moving stock from one location to another.

To drove means to drive, muster, impel, lead, move or otherwise shift stock whose feet are in contact with the road.

Urban street means a road or parts of a road which is within an area controlled by a 70km per hour speed restriction or less.

2.2 Words implying the singular include the plural and vice versa.

2.2 3.0 GENERAL

3.1 Any notice, order or other document which is required by the policy to be served or given or sent to any person shall be deemed to have been duly served and given or sent if delivered to

such person or left at his or her residence or workplace or posted to such person at his or her last known address.

- 3.2 State Highway – no person shall drive any stock along or across any state highway except in the case of an escape or under a written authority issued by New Zealand Transport Agency (NZTA)
- 3.3 Urban Street – No person shall drive any stock along or across any urban street except in the case of an escape or under a written authority issued by Council.

4.0 COMPLETE RESTRICTION ON DROVING OF STOCK

4.1 No person shall drive stock along any road as follows:

- (a) During the hours of darkness; or
- (b) At any time when there is not sufficient visibility to render clearly visible a person, vehicle, stock, at a distance of 100 metres; or
- (c) Within high density residential zone

5.0 STOCK MOVEMENT

Movement of Stock from time to time.

5.1 Where stock is being moved along a road from one part of a farm to another part of that farm, appropriate signage must be placed at each end of the stock movement area, so as to be clearly visible to approaching vehicles. Such signs may consist of:

- 1) Traffic warning cones placed on the centreline of the road, worded (Stock);
or
- 2) Flashing amber warning lights on road verge or fence.
- 3) In remote areas where property road boundaries are unfenced, permanent signs indicating stock movement shall be displayed.

All temporary signage must be removed from the road on the completion of stock movement.

Stock Droving

5.2 No person shall drive any stock along any road within the district of the Council except:

- (a) In the case of returning stock to a farm in the case of an escape or an emergency; or
- (b) Provided that the following conditions are complied with:

- (i) The number of stock in any mob shall not exceed 600 head of cattle or 3,000 head of sheep; and

- (ii) Each mob shall be accompanied by one experienced drover for any number of stock up to and including 300 head of cattle, or for any number of sheep up to and including 1,500 head and by two experienced drovers for any number of stock exceeding 300 head of cattle or any number of sheep exceeding 1,500; and
- (iii) The drovers in charge of mobs shall be at a ratio that will ensure the animals are under control all the time and are capable of being directed or stopped by the drover, drovers and/or dogs. There shall be at least two drovers in charge of any mob of bulls or horses.
- (iv) In addition to the requirements of clause (ii) the drover shall keep the animals moving along the road at all times so as to make progress towards the destination at an average rate of not less than 1 kilometre per hour; and
- (v) Animals are to be driven in such a manner and use only such points of access and exit to and from the road as will ensure that danger to other road users and damage to the road, road reserves and any Council property will be minimised.
- (vi) Each mob shall be accompanied by at least two pilot vehicles (see interpretation) one which shall maintain an adequate distance to be a safe warning in front of the first animal in the mob and the other of which shall maintain an adequate distance to be a safe warning behind the last animal in the mob.
- (vii) Deer movements should only involve direct crossings of a road and motorists must be at a complete stop.
Deer crossings should be contained by gates or barriers across the roadway to prevent escaping stock
Motorists must be provided with advance warning of the road closure and the barriers should be clearly visible
- (viii) The person driving the stock or his employer shall:
 - (a) be responsible for any damage caused by that movement to any property located on the road or any fenced adjacent property.
 - (b) Take all reasonable care to prevent damage to tidy property frontages located on the road reserve.
- (ix) No tired, injured, or dead animal shall be left on the Carriageway.
- (x) Tired or injured animals shall be humanely immobilised and if left on a road berm without constant supervision shall be removed as soon as is reasonable in the circumstances.
- (xi) Dead animals shall be removed from the road berm within four hours of death. Should the location of a dead animal, on the berm, detract from the safety of road users immediate steps should be taken to move it to a 'safe' location for the passage of traffic.
- (xii) All animals shall be driven in such a way as to cause the least possible disruption to other road users.
- (xiii) Drover/s shall take all reasonable practical steps to make a way for vehicle/s or to allow it/them to pass through the stock.
- (xiv) Prior to such a drive, the drover should either check the route or make application to Council's Animal & Dog Control Officer (Ph. 06-3794030) to

ensure the best route is considered. When a road is under repair or reconstruction and the movement of stock would, in the opinion of an Authorised Officer cause, or be likely to cause, damage to the road, the Council may prohibit the movement of any stock during the period of such repair or reconstruction.

- (xv) When a road is closed or traffic flow is restricted because of road works, flooding, emergency, or other event the Council, through its staff, consultants and/or contractors may either:
 - halt moving stock preventing their movement into or through the affected area; or
 - re-direct moving stock along such other road or roads that, in the circumstances, are more appropriate.
- (xvi) **PROVIDED THAT** where a person cannot comply with any of the preceding conditions in Clause 5 of these guidelines that person should not drive any such animal along any such road without the prior written permission of the Council. Nothing in this clause shall apply to the droving of dairy cattle on a regular basis as covered in clauses 6 and 7 of these guidelines.
- (xvii) A permit from NZTA shall be applied for prior to any proposal to cross or drove along the State Highway.

6.0 FREQUENT STOCK MOVEMENTS – DAIRY COWS.

- 6.1 Dairy cattle movement from one side of the road to another between farms or from one part of a farm to another on a regular basis.
- 6.2 For the purpose of this clause, droving of dairy cattle on a regular basis shall mean any dairy cattle which are being driven more than 14 times within any calendar month.

7.0 DAIRY CATTLE STOCK CROSSINGS

- 7.1 The conditions for the droving of dairy cattle between farms or from one part of a farm to another part of that farm shall include:
 - (i) In respect to a permanent crossing, the display of fluorescent yellow warning signs of the pattern PW-37 (refer Appendix A), on either side of the crossing. In respect to a temporary crossing, the display of fluorescent orange warning signs of the pattern TW-6 (refer Appendix A), on either side of the crossing whenever the crossing is in use.
 - (ii) The stock are to be driven and supervised in such a manner, and use only such points of access and exit to and from the road, as will ensure that danger to other road users and damage to the road will be minimised.
 - (iii) The construction, installation, maintenance of adequate entrances and correct use are necessary to facilitate the safe passage of such milking stock, including the provision of adequate entranceways and extension to road shoulders, at points where stock cross the carriageway and berm.
 - (iv) The requirement for the farmer is to take all reasonable and practical steps to keep the road surface free of stock excrement and/or mud; and

- (v) The payment by the farmer of any reasonable costs, as assessed by the Authorised Officer, incurred by, or likely to be incurred by, the Council by use of the crossing place. This may include, but is not limited to, costs incurred in respect of one or more of the following:
 - undue additional maintenance of the road due to damage caused by the movement of the stock, and/or by the effect of stock effluent on the road surface.
 - Installation of additional warning signs at the crossing point to meet the requirements of the signs manual.
 - Removal by Council (or its agents or contractors) of stock excrement and or mud from the road at the point where the milking stock are crossing.
- (vi) Where it is considered that provision for the driving of dairy cattle could be made internally within the boundaries of the owner's own property or where adequate provision for keeping stock off the carriageway by means of extended fencing fronting the boundary of such owner's property and approved by Council, such provision shall be made.
- (vii) When a road is closed or traffic flow is restricted because of road works, flooding, emergency, or other event the Council, through its staff, consultants and/or contractors may either:
 - halt moving stock preventing their movement into or through the affected area; or
 - re-direct moving stock along such other road or roads that, in the circumstances, are more appropriate.

Some Stock Crossing conditions may include requirements:

- For additional signage, cones.
- For the crossing point to be indicated by flashing orange lights, erected on either side of the crossing place, clearly visible to oncoming vehicles.
- For the crossing point to be attended on one or more sides of the crossing, whenever it is in use, by people wearing approved reflective clothing.
- For lighting of the crossing.
- As to the specific location of the crossing.
- As to specific time/s the crossing may or may not be used.
- As to the layout, design and construction of the crossing plan/s.
- For the use under certain conditions, of matting on the road surface.

7.2 **Stock Crossing Permit** – If the above conditions cannot be met a stock crossing permit may be required.

8.0 STOCK GRAZING IN A PUBLIC PLACE

8.1 Any person being the owner or having the care, custody or control of any stock, shall keep and prevent the same from wandering, or being at large in any public place without proper guidance.

- 8.2 No person shall tether stock in any public place without first obtaining a tethering permit from Council. The permit shall be subject to such conditions as are considered necessary by an authorised officer.
- 8.3 No person shall put or place any untethered stock, for the purpose of grazing the same on any road reserve except with a grazing permit issued by Council. This permit shall be subject to such conditions as are considered necessary by an authorised officer. Warning signs TW 6 as shown in (Appendix A), shall be placed at a safe warning distance to road users on either side of the grazing stock.
- 8.4 Any person causing damage to the road, road reserve, or Council property in the course of grazing any stock shall be liable for costs incurred by Council to rectify the damage.

9.0 DISPUTE RESOLUTION

- 9.1 Where Council receives a complaint in respect to a breach of the recommended guideline procedures the following dispute resolution process shall be followed:
- (a) Step One - Be advised by a Council Officer that a contravention to the Policy has occurred, and will be provided with a copy of the Stock Movement Guidelines.
 - (b) Step Two – An Advisory Committee consisting of Council Members will discuss options to rectify the matter.
 - (c) Step Three – Other relevant agencies will be brought in to assist and/or ensure compliance under other legislation.
- Every person who commits a breach of the Council Stock Movement Policy may be served with an abatement notice by an enforcement officer under the provisions of the Resource Management Act 1991.
- 9.2 Every person commits a breach of Council Stock Movement Policy who:
- (a) Commits, or causes to be committed, any act contrary to the policy, or
 - (b) Omits, or knowingly permits to remain undone, any act required by the policy, or
 - (c) Refuses or neglects to comply with any notice, or any condition in any such notice, whether public or private, given pursuant to the policy, or
 - (d) Obstructs or hinders any officer of the Council in the performance of any power, or duty conferred upon him or her by Council.

10.0 STOCK ON ROADS DUE TO INADEQUATE FENCING

- 10.1 Where stock gains access to public road or other private property due to inadequate roadside fencing, an authorised officer of Council shall provide notice to the property owner to appropriately repair any substandard fencing.
- 10.2 Service and legal follow up of notice to property owners where roadside fences have been determined to be substandard and notice not complied with shall be initiated.
- 10.3 Other boundary fence complaints should be determined either by Property Law or Fencing Act.

Responsibilities & Obligations of Property Owners.

- From time to time stock movements occur on rural roads.
- It is recommended that property owners ensure adequate means of preventing stock access onto their property by way of secure fencing and gate or cattlestop.

11.0 ROAD USER PROTOCOLS

11.1 Farmers often use rural roads to move animals between paddocks or to graze stock at the side of the road. If there are animals on the road or roadside, remember:

- Slow down, or pull over to the side of the road.
- Don't sound your horn or rev your engine.
- Follow the farmer's directions, if given.

Stock including horses and dogs can't be treated as if you are overtaking a vehicle. They can frighten easily, behave unpredictably and move onto the road very quickly.

- Pass carefully, slow down and give the stock, horse, dog plenty of room, especially on bridges or narrow roads
- Do not sound your horn or rev your engine, stock, horses, and dogs have very good hearing and are easily alarmed by loud, unexpected noises
- Stop, if the stock, horse or dog appears frightened
- Dip you headlights at night

Please Remember – that Greater Wellington Regional Council (GWRC) has controls for the discharge of effluent from stock. If you are proposing a stock underpass please contact the Consents and Compliance section of GWRC on 06-3782484 or call at 34 Chapel Street, Masterton, to discuss how you will deal with effluent discharge from the underpass.