

- The road must be kept clear of debris and other matter that may cause danger or inconvenience for other road users.

## Road Damage and Danger

This part of the Bylaw aims to deter damage to roads or part of any road. If damage does occur, it enables Council to ensure those responsible are accountable for the costs of fixing the damage.

Where damage can be identified as having been caused to the road, we will organise a contractor to make the necessary repairs and will recover the costs Council incurs in repairing the road.

This damage could include a buildup of animal waste products, mud, or any other substance or debris which causes damage to the road, a loss of traction for vehicular traffic, or a nuisance to other road users.

Property owners are also responsible for the costs of rectifying problems where trees or vegetation on their property are determined by one of our staff to be creating damage or danger on the adjacent road.

We have another brochure called 'Trees Shading or Overhanging Road Reserve' which explains in more detail our policies on trees on both private property and road reserve which become a danger to the general public.

## Three-Stage Enforcement Process

Council has adopted the following three-stage enforcement process for dealing with a wide range of roading issues.

Please note that for significant road safety hazards, stage three will be immediately implemented and works will be passed on to a contractor with resulting costs passed on to the owner/operator.

**Stage One, Verbal:** When an issue is identified and inspected onsite by our roading staff and warrants further action, the first approach to the owner or operator will be verbal. This will include discussion of the issue

and a brochure such as this one will be left explaining the provisions of the roading bylaw and what the next steps will be if the problem isn't resolved. (Please see the back of this brochure for other brochures on our Roothing Bylaw).

It should be noted that for any maintenance work on the road reserve a traffic management plan must be obtained.

**Stage Two, Written:** If the issue isn't resolved in a timely manner, a follow-up written warning letter will be sent. This will reiterate the provisions of the Roothing Bylaw or relevant legislation and will specify a timeframe for rectifying the issue. If the issue is still not rectified within the specified timeframe, Council will undertake remedial work and pass the cost on to the owner or operator.

The timeframe will depend on the degree of the safety hazard.

**Stage Three, Council Remedial Works:** As a last resort, we will arrange to have the work undertaken to fix any damage and/or remove any hazards from the road reserve. The cost of this will be recovered from the owner/operator plus a margin of 10% to cover Council administration and inspection costs



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Clutha District Council

## Stock Driving in Clutha District

*Photo by Janice J Eaton*



Part Two of a Series on Council's Roothing Bylaw/Policy

In July 2008, after a lengthy period of public consultation, Council adopted a new Roding Bylaw which consolidated our Stock Droving, Parking and Traffic, and Speed Limit bylaws.

It also includes new requirements such as making sure you notify us when moving stock in certain situations, and charging for the recovery of costs of repair when it comes to causing damage to the roads.

In this brochure, we explain the new requirements under the Roding Bylaw relating to Stock Droving, as well as those existing key requirements carried over from the old bylaws and existing Council policy.



## Introduction

Council's Stock Droving Bylaw recognises that in some cases, farmers need to use roads to move stock in order to manage their farms efficiently.

However, it is also important to make sure the safety of other road users is not compromised, to ensure inconvenience to other road users is minimised and to ensure the roads are not damaged in the process.

## Key Requirements Before You Begin Droving

- Any new dairy conversion or expansion with property operated on opposite sides of the road must install a stock underpass. If the annual average daily traffic is less than 500 vehicles, a stock underpass may be exempted by the Council's District Assets Committee.
- No road or part of any road may be used for the regular movement of stock, including the droving of milking stock for milking purposes, without Council's prior written consent.
- In certain situations, if you intend to drove stock on a public road you will be required to give us at least five working days notice, so our staff can assess what notification needs to be made to other road users and to the general public. Situations where notification is required are outlined in further detail in this brochure.
- Council now has the ability to charge to recover the costs involved with rectifying nuisance and/or damage caused to roads by mud, animal waste products or other substance or debris.

## Stock Movement - General Requirements

Controlling the movement of stock on public roads is vital to ensure the safety of all road users. General conditions for the droving of stock include:

- No person may move stock across or along a formed road where they could reasonably move stock along a race on private land or road reserve.
- Stock may not be moved along any road except during daylight hours; OR in the case of escape or emergency; OR if permitted by Council.
- Stock being moved across or along a road must be under the control of a drover at all times and continuous progress must be made towards the destination.
- Stock must driven in such a manner and such entry and exit points used to and from the road, as to minimise danger to other road users and damage to the road and road flanks.
- Visible warning signs in accordance with the Transit NZ Manual of Traffic Signs and Markings are erected and maintained by the landowner or drover.
- Where practicable, implement a maintenance programme to clean the road, immediately after the movement of stock, of debris and matter which may inconvenience other road users.
- All injured or dead stock must be removed from the carriageway immediately and from the road verge as soon as practicable, but in any event, on the same day.

Please also note that Council is not responsible in any way for claims and damages arising from droving stock, whether notified or not. The owner of stock should have current Public Liability Insurance to protect their liability in the event of damage to third parties.

## Notification of Droving

At least five working days notice to Council is required if you plan on droving stock in any of the following situations:

- Any cattle during the Gypsy Day period (mid-May to mid-June); or
- Further than 10km through or within the district; or
- Through any urban traffic area; or
- Where the mob is more than 3,000 sheep or 200 cattle.

Please give us at least five working days notice so our staff can assess what, if any, notification needs to be made to other road users and the general public.

If a drove cannot reasonably be expected to be completed during the hours of daylight on which the drove commenced, please ensure either you or your agent notifies us with the distance of the daily stages, location of holding paddocks and consent from owners of holding paddocks.

There are some extra conditions for notification-related droves including:

- No drove may begin when visibility is less than 170m.
- For mobs with more than 200 cattle, or 3,000 sheep, each mob must be accompanied by at least two competent drovers and as many other competent assistants as is necessary to control the animals.
- Every drover must wear a bright, coloured reflective jacket, vest or similar for visibility.
- The owner of the stock involved in a drove and the drover in charge are responsible for providing adequate warning for traffic. At all times appropriate warning signs must be displayed and be clearly visible from a distance of 250m.