

Buller District Council Stockdroving Bylaw

Special Order

### **STOCKDROVING BYLAW 1996**

Resolved:

“That PURSUANT to Sections 716B and 681 of the Local Government Act 1974 the Buller District Council does this 22<sup>nd</sup> day of February 1996, RESOLVE by way of SPECIAL ORDER to adopt a General Bylaw for the purpose of controlling the droving of stock within the entire Buller District, details of which are as follows:

1. This bylaw shall be known as the Buller District Council Stock Droving Bylaw 1996 and shall come into force on the 5<sup>th</sup> day of April 1996.
2. This bylaw is made under the authority of Section 72 of the Transport Act 1962 in respect of roads under the control of the Buller District Council and Transit New Zealand (by delegation).
3. In this bylaw, except where inconsistent with the context:

‘**Dairy Cattle**’ means lactating dairy cattle.

‘**Hours of daylight**’ means any period of time between half an hour before sunrise on any one day and half an hour after sunset on that day.

‘**Road**’ means a road as defined in Section 2 of the Transport Act 1962, situated in the Buller District.

'**Across**' means the shortest practicable distance from one side of the road to the other.

### Dairy Cattle

4. No person shall move dairy cattle across or along a road where they may reasonably move the cattle on private land (raced or un-raced) or on road reserve.

Subject to paragraph (c), where it is not reasonable to move dairy cattle on private land, or on road reserve, those cattle shall not be moved across or along a road unless:

- a) in the instances of dairy cattle moving along a road, the conditions set out in Section 6(a) and (b) are complied with; and
- b) (i) In the instances of dairy cattle crossing a Council road, cattle should be attended by at least one competent drover or a flashing light to be stationed on the road reserve and that every reasonable effort be made to ensure continuous progress; and
  - (ii) Cattle crossing a state highway must have at least one competent drover stationed on the road reserve for all crossings and every reasonable effort be made to ensure continuous progress;
- c) The Buller District Council may from time to time determine which particular crossing points are especially dangerous and impose in writing conditions restricting the use thereof.

### General

5. No person shall drive any horses, cattle, sheep or pigs along any road except:
  - (a) during the hours of daylight; or
  - (b) in the case of escape or an emergency; or
  - (c) in the case of dairy cattle, for the purpose of moving the cattle from one part of a farm to another part of that farm for milking purposes, and subject to other sections of this bylaw.
  
6. No person shall drive any horses, cattle, sheep or pigs along any road unless the following conditions are complied with:
  - (a) The number of animals in any one mob shall not exceed 350 head of cattle or 3,000 head of sheep; and drovers in charge of mobs shall be at the ratio of at least two (2) competent drovers to each mob of cattle or sheep.
  - (b) The drover shall keep the animals moving at all times so as to make progress towards the destination at any average rate of not less than 8 kilometres per day;
  
7. Any person moving animals across or along a road must ensure that danger or other users is minimised. Suitable signs must be displayed, and crossings shall be sited to permit effective and safe stopping distances for road users. Signs shall be to a standard determined by the Buller District Council and Transit New Zealand and all signage shall be provided by the Stockowner.

8. All reasonable and practicable steps shall be taken to remove excess animal effluent and debris from the road and footpath (e.g. by washing or scraping) within two hours of the completion of milking or single direction stock movement.
9. Where any person is unable to comply with any of the aforementioned conditions, that person shall not drive any animal along or across any road, without the prior written permission of the Buller District Council.
10. Every person committing any breach of this bylaw shall be liable upon conviction to a fine not exceeding \$500.00.

The foregoing resolution, was passed by the Buller District Council as a Special Order at a meeting of the Council held on the 22<sup>nd</sup> February 1996, which resolution was confirmed at a subsequent meeting of the Council on the 28<sup>th</sup> day of March 1996.