

CHBDC:Part 5:2008

CENTRAL HAWKE'S BAY DISTRICT COUNCIL BYLAWS



Part 5 – Livestock Movement and Animals in Public Places

Superseding CHBDC ~~Stock Droving Bylaw 1990~~Part 5:2008

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Foreword

Local Authorities are empowered under a variety of Acts, including the Local Government Act 2002 to make Bylaws.

~~Bylaws made by a Local Authority under the Local Government Act 2002 after 1 July 2003 shall be reviewed no later than 5 years after the Bylaw was made, and then every 10 years after that.~~

~~There are new policy analysis, decision making and consultation requirements for the development of new Bylaws.~~

~~This Bylaw is intended to combine a number of current Council Bylaws and Policy Documents dealing with the purpose of this bylaw is to control the movement and grazing of livestock, of livestock and how this will be managed by Council. It supersedes the Central Hawke's Bay Stock Droving Bylaw 1990 and is designed to replace much of the content contained in the Central Hawke's Bay District Council Policy Document 3.9, 'Roadside Grazing' that was adopted in 1992. It also introduces a new~~
This bylaw retains the requirement for a 'Livestock Crossing Permit' in instances where landowners use Council roads on a regular basis (on more than 10 days in a calendar year) to move dairy cows across or along the road. This is necessary to control issues surrounding road safety, damage to roads and effluent fouling roads that have arisen in recent years as a result of the increase in dairy farming in the District.

Referenced Documents

Reference is made in this document to the following:

- ~~• Central Hawke's Bay Stock Droving Bylaw 1990~~
- ~~• Central Hawke's Bay District Council Policy, Document 3.9~~
- ~~• "Conditions for the use of Road Reserve for Casual Roadside Grazing" [An ad hoc document prepared by Central Hawke's Bay District Council Officers in 2007]~~
- ~~• Guidelines for Stock Crossings - RCA Forum Stock Crossings Working Group Report~~
- ~~• The Hurunui District Council Draft Livestock Movement Bylaw 2007~~
 - The Stratford District Council Stock Control Bylaw
 - NZ Standard Model General Bylaws - Part 2 : Public Places 1999

New Zealand Legislation

- Land Transport Act 1998
- Local Government Act 1974
- Local Government Act 2002
- Transport Act 1962.

CHBDC BYLAWS

Part 5 - LIVESTOCK MOVEMENT AND ANIMALS IN PUBLIC PLACES BYLAW 2008

500 TITLE AND COMMENCEMENT

- 500.1** This bylaw is made pursuant to section 145 of the Local Government Act 2002.
- 500.2** This bylaw shall be known as the Central Hawke's Bay District Council Livestock Movement and Animals in Public Places Bylaw ~~2008~~2018.
- 500.3** This bylaw shall come into force on ~~4th July 2008~~.
- 500.4** Transitional Provisions:
- 500.4.1 Where any person, company or other legal entity is required to obtain a 'livestock crossing permit' pursuant to Section 508 and 509 of this Bylaw, such application MUST be made to Council within 6 (six) months of the date that this Bylaw shall come into force. Any failure to do so shall be deemed a breach of this Bylaw.
- 500.4.2 Where any person, company or other legal entity is required to obtain permission from Council to continue to carry on any existing form of 'casual roadside grazing' pursuant to Section 512 and Schedule 3 of this bylaw, such permission must be obtained within 1 (one) month of the date that this Bylaw shall come into force. Any failure to do so shall be deemed a breach of this Bylaw.

~~500.5 This bylaw supersedes the Central Hawke's Bay District Council Stock Droving Bylaw 1990 and all amendments of that Bylaw.~~

501 OBJECTIVES

- 501.1 The objectives of this bylaw include:
- The safety of road users.
 - The protection of:
 - (i) the structure and surface of roads [and the road corridor](#);
 - (ii) all utilities and structures contained within Council's road reserve.
 - The prevention of roads being used as races where internal farm races can be used.
 - Minimising inconvenience, nuisance and potential danger to all road users from the fouling of the road network.
 - Ensuring public health is protected from effluent fouling.

502 DEFINITIONS

Reference should be made to Part 1 *Introductory Bylaw* and to the legislation referred to under *Referenced Documents*, for any other definitions not included in this Part.

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502.1 For the purposes of this Bylaw, unless the context requires otherwise, the following definitions apply:

Authorised Officer - means any person appointed or authorised in writing by the Chief Executive or by Council to act on its behalf and with its authority and includes a member of the Police.

Grazing Berm - means the property side edge of a road drain ~~between the kerb or road shoulder~~ and property boundary.

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

Council - means the Central Hawke's Bay District Council.

Dairy Cattle - means any cow that is part of a milking dairy herd. It excludes- cattle used for the production of beef, or any dry herd.

Road Drain – a constructed or natural water course which carries water along or away from the road structure

Drover - means any person in the process of moving livestock from one point to another.

Farm - means an area of land which is used principally for the purposes of agriculture, including grazing of livestock and includes any contiguous parcels of land under the same ownership, lease or licence.

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.

Livestock - means and includes any cow, bull, ox, heifer, steer, calf, sheep (includes any ram, ewe, wether, lamb), goat, kid, donkey, mule, horse (includes stallion, mare, gelding, colt, filly, foal), boar, sow, pig, llama, alpaca or deer of any kind. Livestock includes dairy cattle unless otherwise stated in this bylaw.

Mob - means a group (more than one) of livestock being moved from one place to another.

Permit - means a written consent issued by Council for the movement of livestock.

Pilot vehicles - means and includes any motor cycles, 4 wheel farm bikes, cars, utility vehicles, tractors, or trucks operating and moving with hazard lights or other suitable warning devices e.g. signs, in operation in front of or behind the mob.

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 that 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 - mean confined, within a farm boundary, for moving livestock from one location to another location.

Regular Basis - means anytime where dairy cattle movement is initiated due to a milking shed being separated from a grazing pasture by a road and livestock are moved across or along the road on more than 10 days per calendar year.

Road - means a road within the Central Hawke's Bay District as defined in The Land Transport Act 1998, including 'paper' roads but excludes State Highways.

Road Users - mean motorists, cyclists and pedestrians.

To Move - means to ride, drive, muster, lead or otherwise shift livestock whose feet are in contact with the road.

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

503 FEES

503.1 For every permit required pursuant to any Section in this Bylaw the applicant must pay to Council a fee that Council may by resolution from time to time prescribe.

504 PENALTIES AND OFFENCES

504.1 Every person commits a breach of this bylaw who:

- (a) commits, or causes to be committed, any act contrary to this bylaw, or
- (b) omits, or knowingly permits to remain undone, any act required by this bylaw, or
- (c) refuses or neglects to comply with any notice, or any condition in any such notice, whether public or private, given pursuant to this bylaw, or
- (d) obstructs or hinders any officer of Council in the performance of any power, or duty conferred upon him or her by this bylaw.

504.2 The maximum penalty on summary conviction is \$20,000.

505 GENERAL

505.1 Any notice, order or other document which is required by this bylaw to be served, given or sent to any person shall be deemed to have been duly served, 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 postal address.

505.2 The owner of any livestock being moved along or across any road ~~, or grazes along the road~~ or undertaking roadside grazing pursuant to a 'Livestock Roadside Grazing Permit' issued by an authorised officer must have public liability insurance of a minimum of \$1,000,000.00 (one million dollars).

505.3 The owner of any livestock being moved along or across any road which results in excrement or any other matter being deposited on the road shall be responsible for removing the excrement or other matter to the satisfaction of Council.

505.4 Any person being the owner of, or having control of, any horse in a public place shall immediately remove any excrement deposited by that horse from any public place.

505.5 The owner of any livestock which causes damage to the road, road reserve or Council property or leaves excrement or any other matter remaining on the road surface in the course of moving any livestock shall be liable for costs incurred by Council in remedying any damage and / or cleaning the road surface.

505.6 Any person moving livestock along or across any road or having control of any stock in any public place shall ensure that the stock is kept under proper control, with consideration for other persons using the public place.

505.7 Any person moving livestock along or across any road shall take all reasonable practical steps to allow a vehicle to pass through the livestock.

505.8 For the purposes of clarification, this bylaw does not apply to State Highways which are controlled by [Transit New Zealand](#) [New Zealand Transport Agency](#).

506. COMPLETE RESTRICTION ON MOVEMENT OF LIVESTOCK

506.1 No person shall move livestock along or across any road as follows:

- (a) during the hours of darkness or at any other time where there is not sufficient visibility to render clearly visible a person, vehicle or livestock at a distance of at least 150 metres, [\(e.g. during foggy conditions\)](#), except where a permit has been issued for the regular movement of dairy cattle under Sections 508 and 509;
- (b) any other road, public reserve or public place that Council may seek to restrict from time to time, which will be recorded in Schedule 1. This restriction shall not apply to any person who rides or leads a horse under proper control on a road.

506.2 No person shall move dairy cattle along or across any road as follows:

- (a) within 10 meters of any area zoned 'Residential', 'Business 1', 'Business 2' or 'Township' in the relevant sections of the Central Hawke's Bay District Council District Plan;
- (b) where, in the opinion of the authorised officer, it is possible to move livestock along a race or underpass.
- (c) without a 'Livestock Crossing Permit' issued pursuant to Section 508 and 509 of this Bylaw.

507 LIVESTOCK MOVEMENT PERMITTED IN CERTAIN CIRCUMSTANCES

507.1 A person may move livestock along or across any road within the District of Council in the following situations:

- (a) returning livestock to a farm in the case of an escape or an emergency;
- (b) on any roads that are not listed in Schedule 1 as restricted from moving livestock. (As per Section 507.2.1 livestock may only be moved on roads listed in Schedule 1 with a Livestock Movement permit.)
- (c) when movement of livestock is carried out under the following conditions:
 - (i) the livestock movement will be completed in any one day,
 - (ii) each mob shall be accompanied by one experienced drover for any number of cattle up to and including 300 head, or for any number of other livestock up to and including 1,500 head, and by two experienced drovers for any number of cattle exceeding 300 head or any number of other livestock exceeding 1,500;
 - (iii) the drover shall keep the animals moving along the road at all times so as to make reasonable progress towards the destination;

- (iv) animals shall be moved in such a manner, and using 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 reserve and any Council or private property will be minimised.
- (v) each mob shall be accompanied at the front either by a pilot vehicle, or a sign ~~shall be that is~~ placed where it is clearly visible and gives adequate warning of livestock movements to other road users; and at the back by either a pilot vehicle or a sign ~~shall be that is~~ placed where it is clearly visible and gives adequate warning of livestock movements to other road users.

507.2 Livestock Movement Permits

507.2.1 A Livestock Movement Permit is required for any livestock movement undertaken on any of the roads in the Central Hawke's Bay District listed in Schedule 1 of this Bylaw, ~~and~~

507.2.2 Where any person has an expectation that a livestock movement will last for a period in excess of twenty four hours then before that livestock movement commences and / or any stock enters Council's area the owner of the stock or his agent shall apply in writing to Council for a '~~U~~livestock ~~M~~ovement ~~P~~Permit'. Such application shall be on the form in 'Appendix A' and will state.

- (a) Stock owners name and address.
- (b) Head Drivers name and address.
- (c) Number of stock.
- (d) Types of stock.
- (e) Identification marks of stock.
- (f) Number of drovers and dogs.
- (g) Intended route through Council's area.
- (h) Statement of daily stages.

Every application for a permit must state the route of the livestock movement determined in accordance with Section 507.1 (b) of this Bylaw and each permit issued shall be subject to the conditions set out below.

- The number of animals in any one mob shall not exceed 600 head of cattle or 3000 head of sheep and drovers in charge of mobs shall be at the ratio of one competent drover to every 300 head of cattle or part thereof, or 1500 head of sheep or part thereof.
- Overnight stops or stops less than forty eight hours duration shall not constitute a point of origin or destination for a livestock movement.
- Where required by Council, stock in a livestock movement shall be identified by an ear tag or other approved marking.
- Where required by Council the Head Drover shall provide additional drovers whilst the livestock movement is moving through any areas where Council deems it necessary. The passage of the livestock movement beyond the start of the defined section shall not be commenced until the personnel specified by Council are in attendance.

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- The Head Drover shall keep the stock in the livestock movement moving at all times so as to make progress towards the destination at a rate of not less than eight kilometres per day.
- The stock in a drove shall at all times be under adequate control.
- Such other conditions deemed necessary by Council.

507.3 Nothing in this section shall apply to the movement of dairy cattle on a regular basis which is covered in Section 508 of this bylaw.

508 MOVING DAIRY CATTLE FROM ONE SIDE OF A ROAD TO ANOTHER OR ALONG A ROAD ON A REGULAR BASIS

508.1 No person shall move dairy cattle from one side of a road to another on a regular basis or along any road on a regular basis, except when using a 'livestock crossing permit' as issued pursuant to Section 509 of this bylaw.

508.2 All applications for a livestock crossing permit shall be assessed by an authorised officer, and if found to require an underpass, then a livestock crossing permit shall be issued with conditions requiring the installation of an underpass within two calendar years of the issue of the livestock crossing permit. This condition shall be subject to the appeal provisions in Section 510.

508.3 In determining whether an underpass is required, the authorised officer will have regard for the following: traffic safety; annual daily traffic volumes; herd size; percentage of pasture land on the opposite side of the road to the milking shed; the location of the crossing in regard to schools, cemeteries, reserves and buildings; and any factors of special concern.

508.4 Sections 508.2 and 508.3 shall not apply to any application for a new movement of livestock on a regular basis across or along any road listed in Schedule 2, for which a livestock underpass shall be installed before the commencement of any livestock crossing. [\(NZTA may provide financial assistance in constructing livestock underpasses providing 3 years notice is given and the application for financial assistance is approved. Contact the Land Transport Department of the Council for further details.\)](#)

509 LIVESTOCK CROSSINGS

509.1 The authorised officer may issue a livestock crossing permit for the moving of dairy cattle on a regular basis on such conditions as the authorised officer sees fit. These conditions may include but are not necessarily restricted to:

- (a) The payment by the applicant of the additional cost incurred by Council. This may include costs incurred in respect of:
 - (i) the maintenance of the road due to damage caused by the moving of such dairy cattle as is assessed by the authorised officer.
 - (ii) the installation of warning signs at the crossing point to meet the requirements of the Temporary Traffic Management for Local Roads Supplement 2005 (or any such amended standards issued by from time to time) or any other warning signage or devices that the authorised officer includes in the permit including, but not limited to, reflectorised 900mm orange road marker cones, amber flashing lights.

- (iii) the removal by Council (or its agents or contractors) of livestock excrement from any sealed or unsealed road at the point where the dairy cattle cross.
- (b) The construction, installation and correct use by the applicant of such facilities which in the opinion of the authorised officer are necessary to facilitate the safe passage of such dairy cattle. This may include any or all of the following:
 - (i) Entranceways, including additional adjacent shoulders, at points where livestock cross the road berm shall be constructed to the specifications determined by the authorised officer.
Entrances are to be shaped so that effluent drains away from the road.
 - (ii) Warning signs at the crossing point while dairy cattle are crossing the road to meet the requirements of the Temporary Traffic Management for Local Roads Supplement 2005 (or any such amended standards issued by from time to time) or any other warning signage or devices that the authorised officer includes in the permit including, but not limited to, reflectorised 900mm orange road marker cones, amber flashing lights.
 - (iii) A person or persons to be present at the road crossing while dairy cattle are using the crossing.

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509.2 Pursuant to Section 506.2 (b), no person shall be issued with a livestock crossing permit where the authorised officer considers that it is possible to drive the dairy cattle along a race on private land or through a cattle underpass.

509.3 Pursuant to Section 505.3, the person whose name the livestock crossing permit is issued in shall be responsible for ensuring that livestock excrement is removed from the road each time the dairy cattle use the livestock crossing.

510 PERMITS DECLINED PURSUANT TO SECTION 509 OF THIS BYLAW OR CONDITIONS IMPOSED PURSUANT TO SECTION 508 OF THIS BYLAW

510.1 Notice that the authorised officer has declined to issue a permit pursuant to Section 509 of this bylaw, or has imposed a condition for the installation of an underpass pursuant to Section 508 of this bylaw shall be in writing and addressed to the applicant.

510.2 A person who has received written notice that a permit has been refused or a condition has been imposed to install an underpass may, within fifteen (15) days of the receipt of that notice, lodge an objection in writing to the authorised officer, stating the grounds of their objection. Council's Hearings Committee shall consider the objection and make a recommendation to Council who will make a decision on the matter.

510.3 The applicant shall be notified of the decision in writing no later than ten (10) working days after the full Council has made a decision based on the recommendation of the Hearings Committee. The notification shall include reasons for the decision.

510.4 The decision shall be final and binding on both parties.

511 REVIEWING, REVOKING OR SUSPENDING A ➤ **LIVESTOCK CROSSING PERMIT,**
➤ **LIVESTOCK MOVEMENT PERMIT, OR**
➤ **ANY OTHER LIVESTOCK MOVEMENT**

511.1 The authorised officer may from time to time review the conditions for any permit and impose in writing, altered conditions controlling the use thereof. Such review shall be subject to the appeal provisions of Section 510 above.

511.2 If a road is to be under repair or reconstruction and the movement of livestock would in the opinion of the authorised officer cause undue damage to the road, Council may by public notice, and after consultation with the affected land owners, and notwithstanding the prior issuing of a livestock crossing permit authorising the contrary, or where Section 507 authorises the contrary, absolutely prohibit the movement of any livestock during the period of such repair or reconstruction. Any such public notice shall be deemed to have been sufficiently given if placed by public notice advertisement in a newspaper circulating in the District.

511.3 During any period when a road is closed or traffic flow is restricted because of road works, flooding or an emergency, Council staff (including but not limited to authorised officers) shall have discretionary power either to halt mobs in one place with a view to restricting their movement or to re-direct mobs along such other road or roads which in the circumstances are more appropriate.

511.4 The authorised officer may revoke any livestock crossing permit issued pursuant to Section 509 of this bylaw if:

- (a) any person moving or crossing livestock fails to comply with any of the conditions of their permit;
- (b) in the opinion of the authorised officer the crossing is resulting in excessive livestock excrement or other matter on the road or the berm;
- (c) in the opinion of the authorised officer, the number of livestock or frequency of livestock crossing or moving along the road increases beyond that specified in the permit.

512 GRAZING OF STOCK ON THE ROAD BERM

512.1 Stock grazing of road 'grazing berm' areas within the District by any of the approved methods set out in Schedule 3 of this Bylaw, for the purpose of clearing excess vegetation growth, is not permitted without prior permission a 'Livestock Roadside Grazing Permit' having first been obtained from issued by an authorised officer. The conditions set out in Schedule 3 of this Bylaw must be complied with in all instances of such grazing. Nothing in this Section applies to State Highways administered by Transit New Zealand New Zealand Transport Agency.

513 BYLAW APPROVAL DATE

The Common Seal of the Central Hawke's Bay District Council was attached, under Resolution (Reference - CHBDC:Part5: Livestock Movement and Animals in Public Places 20082014) passed at a meeting of the Central Hawke's Bay District Council held on (Day) (Month) (Year).

DATE CONFIRMED : ____/____/____

SCHEDULE 1

This Schedule contains any road, public reserve or public place which Council has restricted livestock movement on, pursuant to Section 506.1(b).

Current Restrictions:

All roads and streets within the areas in Waipukurau and Waipawa zoned 'Residential', 'Business 1' and 'Business 2'.

In the township of Takapau all that area of Charlotte Street between the southern side of Meta Street and a point 50 metres south of ~~what was commonly known as the Takapau Hotel~~ properties 71 and 80 Charlotte Street.

SCHEDULE 2

This Schedule contains roads for which any application for a new movement of livestock on a regular basis will require a livestock underpass to be installed before the commencement of any such crossing. (Refer Section 508)

There are currently no restrictions in this Schedule

SCHEDULE 3

CONDITIONS FOR THE TEMPORARY GRAZING OF LIVESTOCK ON OR ADJACENT TO A ROAD BERM

In all instances where the road berm is to be used for grazing by any of the three (3) methods listed in this Schedule, a 'Livestock Road Grazing Permit' MUST have been issued by an authorised officer. This permit may set out rules and conditions that must be adhered to during all such activity. These rules and conditions may include, but are not limited to, those set out in this Schedule.

The permit may be authorised for a period of up to twelve (12) months.

The permit may be revoked at any time if the conditions of this Schedule are not adhered to.

Council may permit temporary casual grazing of the road grazing berm by any of the three methods listed in this Schedule only in circumstances where there will be no detrimental effect on the stability of the road, road safety or future maintenance. Grazing must not damage the existing water table / roadside drains or any roadside plantings and any damage done by such grazing may be repaired by Council at the offending grazer's expense.

~~In all instances where the road berm is to be used for grazing, prior permission MUST be gained from Council.~~

~~The Council permit may be authorised for a period of up to twelve (12) months.~~

~~Council permission may be revoked at any time if the conditions of this Schedule are not adhered to.~~

NOTE: [Council has no jurisdiction over State Highways, ~~and p~~Permits are required from Transit-NZ NZTA New Zealand Transport Agency before any use of the state highway road berm.]

In all cases such grazing is only permitted in the first instance by stock belonging to or in the charge of the adjoining property owner or occupier and, in any other instance, with the written permission of the adjoining property owner or occupier.

Council may allow grazing of the road berm in the following three ways:

1. grazing behind temporary electric fences providing all of the conditions listed in this Schedule are followed; and
2. unfettered grazing is permitted by cattle and sheep providing a road side grazing permit has been issued by Council and the applicant adheres to council set conditions As well as any other rules or conditions listed on a permit granted for this method of roadside grazing, the stock must be under strict control at all times (Strict control requires a physical 'human' presence at each end of the stock being grazed to warn motorists of the presence of stock and 900mm reflectorised orange road marker cones shall be used to warn road users of the presence of the people controlling the stock), and kept away from roadside plantings and roadside drains by cattle and sheep providing they are kept under strict control at all times and kept away from roadside planting. Strict control requires, at the minimum, a physical presence at each end of the stock being grazed to warn motorists of the presence of the stock. 900mm reflectorised orange road marker cones shall also be used to warn road users of the presence of the people controlling the stock; and

3. grazing of fettered stock is permitted throughout the District provided stock does not encroach within ~~one (1) 0.5 metres of the~~ of the property boundary edge of the ~~carriageway road drain. In the absence of a road drain specific requirements will be set by the authorised officer as to where grazing may take place~~

Any of the grazing methods described above are not permitted to preclude such areas of road berm from being used for normal public access.

The following rules apply in all instances where Council road berm is used for casual grazing.

- Council gives no tenure to any land enclosed, and any fences must be removed as and when so required by Council.
- No temporary fences shall be erected so as to constitute a danger to any user of the carriageway, nor shall the same obstruct traffic or visibility.
- If grazing is being carried out behind electric fencing, all such fences shall be stock proof.
- Every part of the electric or temporary fence is to be located not less than ~~one (1) 0.5 metres~~, or any other distance specified by an authorised officer, from the property boundary edge of the road drain carriageway.
- Only approved 'plastic' type electric fencing standards or plastic waratah are to be used. Metal "Waratah" or similar metal ~~and wooden or wooden~~ standards are not permitted.
- All electric or other temporary fencing equipment is to be removed from the road berm when the grazing has been completed. For the purposes of this condition if stock is NOT to be grazed behind an erected temporary or electric fence for a period of two days or more, then the temporary or electric fence must be removed by the grazer.
- Where specified by Council, fencing standards are to be marked with reflecting tape.
- Standard 900mm reflectorised orange road marking cones will be placed beside the temporary electric fence, one (1) metre from the edge of the carriageway, at each end of the area being grazed while stock is on the road berm. If the area is longer than fifty (50) metres long orange cones must be placed at least each fifty (50) metres. The cones must be removed from the road berm when stock is not grazing, including, but not limited to, during the hours of darkness as set out in Section 502 of this Schedule.
- The grazer must satisfy himself as to the location of any underground cables i.e. phone / power, prior to pushing standards into the ground and will be responsible for any damage caused to such utilities.
- The grazer will indemnify and keep indemnified Council against all costs, actions, claims, and demands, whatsoever arising out of or occasioned by the use of the road grazing berm.
- All forms of grazing the road reserve shall be carried out **during daylight hours only** and all stock must be removed from the road or roadside at least half an hour before sunset and not allowed to return until at least half an hour after sunrise.
- ~~In the case of unfettered grazing of the road berm visibility must be at least 150 metres in all circumstances e.g. in foggy conditions etc.~~

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- In the case of unfettered grazing of the road berm visibility must be at least 150 metres in all circumstances e.g. in foggy conditions etc.
- The applicant shall comply with all statutory conditions under relevant Acts and Local Government Bylaws and any other Council policy.
- Any electric fence or any other fence that does not meet the conditions contained in this Schedule may be removed, or be required to be removed, immediately by an authorised officer. Such removal may be done without notice and at no cost to Council.
- Any stock found grazing the road grazing berm in contravention of the conditions in this Schedule may be removed, or be required to be removed, immediately by an authorised officer. Such removal may be without notice and at no cost to Council.

APPENDIX A

**CENTRAL HAWKE'S BAY DISTRICT COUNCIL
APPLICATION FOR PERMIT TO UNDERTAKE LIVESTOCK MOVEMENT**

I hereby apply for a permit to undertake livestock movement for a period exceeding 24 hours or in an area restricted by Schedule 1 of the Bylaw.

Name of Owner

Address of Owner (including rapid number)

Phone number of Owner

Name of Head Drover

Address of Head Drover

T.B. Certificate sited: Yes/No Number:..... Date of issue

No. of Stock Type of Stock

Identification of Stock: Ear Brands / Tags

No. of Drivers and dogs.....

DAY	DATE	FROM	TO	DISTANCE

Signed; Date:

This permit is issued in accordance with the information shown above and subject to the conditions set out in Section 507.2 of Council's Livestock Movement and Animals in Public Places Bylaw 2008.

Other conditions:.....

.....

.....

Signed on behalf of the Central Hawke's Bay District Council

.....

Authorised Officer

Date

APPENDIX B

LIVESTOCK CROSSING PERMIT

(refer Section 509 Central Hawke's Bay District Council Livestock Movement and Animals in Public Places Bylaw 2008)

Name of Land Owner:

Address:

Telephone No. _____ Mobile No. _____

Pursuant to the Central Hawke's Bay District Council Livestock Movement & Animals in Public Places Bylaw 2008 you are authorised to move livestock as follows:

PARTICULARS

Maximum number of livestock permitted to cross the road: _____

Maximum number of days per month livestock may use crossing: _____

Crossing from (*Shed location*): _____ Road

(Ha Grazed _____) Valuation Reference No.: _____

Crossing to (*Grazing location*): _____ Road

(Ha Grazed _____) Valuation Reference No.: _____

Average Daily Traffic: _____ VPD in _____

This livestock crossing will / will not require stock underpass construction on or before the expiry of this permit.

This permit will expire on: _____

CONDITIONS

1. If any of the following increase during the term of this permit a new application must be made:- maximum number of livestock crossing the road, frequency of crossing the road, the area grazed on either side of the road.
2. If the livestock crossing or its management are deemed to be inadequate in terms of the permit conditions Council may suspend the permit until those conditions are satisfied or cancel the permit if the inadequacies are not rectified.

I hereby confirm that I have read the Central Hawke's Bay District Council Livestock Movement and Animals in Public Places Bylaw 2008 and I hereby agree to comply with its conditions and any additional conditions contained in this permit.

Signed: *(Land Owner)* _____

Date: _____

Signed for and on behalf of the Central Hawke's Bay District Council:

Date: _____