

STAFF REPORT

TO: Engineering Services Committee

FROM: Road Asset Engineer

REFERENCE: B951

DATE: 6 April 2005

SUBJECT: Review of TDC Stock Droving Bylaw No. 6 1994 & Amendments 1998

PURPOSE/REASON FOR REPORT

Section 158 of the Local Government Act 2002 requires that Bylaws be reviewed, and in compliance with this requirement the Stock Droving Bylaw (No. 6 1994 and Amendment 1998) has been reviewed and updated and is presented for the Engineering Services Committee's consideration.

DISCUSSION

This new bylaw replicates the best of the current bylaw and includes additional conditions, mainly in respect to operational aspects from other similar bylaws of several other district councils.

The specification detail outlined in the current bylaw has been included in the proposed roading policy document that is presently being compiled. By including this information under the policy document it allows discussion on reasons for the conditions, which could not otherwise be included in the bylaw.

Generally the aim has been to create both a user friendly and comprehensive bylaw with the more technical detail being outlined in the proposed roading policy document under the appropriate section, i.e. Stock Crossings at Grade, Stock Races and Stock Underpasses.

COMMENT

Because of the proposed changes to this Bylaw the special consultation procedure under Section 86 of the Act is required to be followed. This requires the advertising of the fact to amend and review this Bylaw, the calling of public submission and the hearing of any such submissions prior to Council's adoption of the Bylaw.

RECOMMENDATION

THAT pursuant to Section 158 of the Local Government Act 2002, that this report be received, and that the reviewed draft bylaw titled Stock Control Bylaw 2005 be approved and notified to commence the special consultative procedure as set out in Part 6 Section 83 of the Local Government Act 2002.

Steve Elkington
Road Asset Engineer
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