

23 Temporary Grazing of the Road Margin

23.1 Overview

Council allows the grazing of live stock on road margins in rural areas to assist adjoining owners to control road margin vegetation. In the case of Type 1 Unformed Roads these are often incorporated into an existing property (See Council's Roading Policy "Use of Roads and Road Licences.).

23.2 Purpose

This policy is intended to reduce the risk of damage and injury resulting from road users being confronted with straying animals. Cattle and horses represent an extreme safety risk and also create significant damage to water channels and culvert drains.

23.3 Legalisation References

- Tasman District Council "Stock Control & Droving Bylaw 2005"
- Tasman Resource Management Plan (TRMP)
- Electricity Act 1992 and the Electricity Regulations 1993.
- Section 357 Local Government Act 1974
- Animals Law Reform Act 1989

23.4 Policy

Grazing of the road margin in rural areas is permitted subject to the requirements of this policy. In Urban areas grazing the road margin is subject to the provisions of the District Plan and Council's "Stock Control & Droving Bylaw 2005".

23.4.1 Process – General

All animals shall be securely fenced in or tethered in such a manner that they cannot graze closer than within one metre from the edge of the roadway.

No cattle or horses may be grazed on the road margin during the hours of darkness nor shall such animals be tethered on the road margin during the hours of darkness.

Persons wishing to graze their animals in the road margin may only do so along their own property frontage unless permission has been s from other property owners or occupiers of the property and a copy of a signed letter from the affected land owner has been supplied to Council.

Note: Grazing of stock in the road margin in a rural zoned area is a permitted activity subject to meeting the requirements of this policy. Council requests that person/s considering grazing stock in road margin first contact Council's Asset Engineer Roads to ensure there are no roading works planned or any other issues.

Comment

Wandering stock can pose a significant safety hazard to road users.

Property owners often take a pride in their road frontage and therefore it is simply a matter of courtesy that permission is first sort before grazing stock on someone else's road frontage.

23.4.2 Process – Electric Stock Proof Fences

Only stock-proof electric fences shall be permitted. These shall be constructed of approved flexible electric fencing standards with a minimum of three wires except that a single wire will be permitted for adult stock. *Steel waratahs are not permitted.*

All fences shall be erected in compliance and accordance with the requirements of the Electricity Act 1992 and the Electricity Regulations 1993. Fences shall be suitably labelled notifying the public the fence is "LIVE".

Electric fences are only appropriate in urban areas where the lack of development means the road is unlikely to be used by pedestrians and cyclists therefore risk of conflict between pedestrians, cyclists and stock grazing is minimal.

Comment

Solid posts and steel Waratahs when struck by a vehicle can cause severe injuries to its occupants.

23.4.3 Process – Location of Temporary Grazing Fence from Roadway

The fence shall **not** be erected closer than 2 metres from the edge of the sealed roadway, or 1.5metres in the case of gravel road. Where a water table exists, then the fence shall be erected approximately 0.5 metre behind the back slope of the water table on the boundary side.

A maximum length of 200 metres of fencing is permitted for temporary grazing at any one time and this shall be relocated at least every 10 days. These limits may be extended, subject to written permission in special circumstances only.

Temporary fences generally shall not be permitted on both sides of the road at the same time.

Comment

A reasonable safety margin has to be kept between the fence and the traffic lane.

If both sides of the road were to be grazed at once there is no escape route for traffic. A maximum length of 200 metres is seen to be a manageable extent for a single grazing area.

23.4.4 Process – Fencing Around Culverts/Bridges

All waterways, culverts and bridges along the road shall be fenced-off and kept clear of stock. No electric wires shall be permitted to be attached to any roading structure.

Comment:

Cattle in particular can damage culvert flow paths as well as embankments and pollute waterways. Access to culverts and the underside of bridges should be accessible at all times for maintenance and emergency purposes

23.4.5 Time Limit of Temporary Fence Being up

All temporary fences shall remain in position while the road margin is being grazed, and must be completely removed immediately afterwards. Generally a fence should not remain in place longer than 10 days.

Comment

The time limit is intended to prevent any adverse effect on the road margin. It is also intended to prevent the fence becoming a permanent fixture.

23.4.6 Process – Request to Remove Fence

The Council may require the fence to be removed at any time. The fence shall not be re-erected without specific written authorisation from Council.

Comment

Unforeseen circumstances may mean that no roadside grazing is appropriate in a particular situation.