



# AGENDA | 2023

Notice is hereby given that an Extraordinary Meeting of the 11th triennium (2022-2025) Chatham Islands Council will be held on:

**Date:** 17 May 2023  
**Time:** 10.00am  
**Location:** Council Chambers  
Tuku Road  
Waitangi  
Chatham Islands

## MEMBERSHIP

<b>CHAIRPERSON</b>	Mayor, Monique Croon
<b>DEPUTY MAYOR</b>	Keri Lea Day
<b>MEMBERS</b>	Steve Joyce
	Greg Horler
	Judy Kamo
	Graeme Hoare
	Amanda Seymour
	Celine Gregory-Hunt
	Nigel Ryan

Owen Pickles  
Chief Executive



# Karakia

Kia hora te marino  
Kia whakapapa pounamu te moana  
Hei huarahi ma tatou I te rangi nei  
Aroha atu, aroha mai  
Tatou I a tatou katoa  
Hui e! Taiki e!

*May peace be widespread  
May the sea be like greenstone  
A pathway for us all this day  
Let us show respect for each other  
For one another  
Bind us all together!*

## 6. REGULATORY

### 6.1 Maipito Stock Report

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<b>Date</b>	17 May 2023
<b>Agenda item number</b>	6.1
<b>Author/s</b>	Waimarino Wairua, Dog & Stock Control Officer

#### Purpose

1. To authorise cull of feral stock on Maipito road.
2. To authorise construction of a gate on south side of Maipito bridge and adequate cattle trap in Sec 5 Blk III Oropuke survey district, 84 Kekeione (the point) until stock can be culled and disposed of.

#### Recommendations

**THAT Chatham Islands Council:**

1. **Receive the report;**
2. **Authorise a gate to be constructed on the south side of Maipito bridge with adequate signage and notification to the community (gate will not need to be closed permanently only while stock control is in process);**
3. **Authorise construction of road boundary fence on (the point) sec 5 Blk III Oropuke survey district, 84 Kekeione (refer to attachments);**
4. **Authorise construction of a fence and hotwire or removable hotwire along the waterway from Rena May Hough's boundary to the bridge (where shovels are washed) with access to the river when needed;**
5. **Attain letter of approval from Gary and Eileen Cameron to access their paddock to shoot from;**
6. **Attain a quote from a fencing contractor for materials and labour;**
7. **Give appropriate notice to Maipito Road residents and road users of gate closures and have Dog and Stock Control trap cattle in the point; and**
8. **Collaborate with ECAN for cull and disposal of feral stock.**

## **Background**

With feral and domestic stock coming onto and through Maipito Road from the back country and neighbouring properties, and this being an on-going annual issue, it is timely that a solution be found.

The cattle are causing safety hazards and damage to residential properties. Boundary fencing is an on-going issue but will not stop feral stock completely.

A cattle trap could be a viable long-term aid in controlling feral stock. Damages to neighbouring properties at 'the Point' will also have to be considered. Collaboration with ECAN in culling stock on Hough property is on-going, with written consent from Rena May Hough as the lands power of Attorney being received.

A definite number for stock coming through Maipito is unknown at present but some photo evidence estimates at least 100 cattle in 2 known exit points from Hough's property, and steps are being taken to confirm numbers.

I hope to reduce the number of problematic stock by 40% in this area over the next 6 weeks.

## **Attachments**

1. Map of 'the Point' where the fence is proposed.
2. Impounding act 38, 42



# Impounding Act 1955

## 42 Disposal of wild stock straying on roads

(1)

Where stock is found straying or wandering on any road, or so near any road as to be reasonably likely to stray on to the road, not being a road in respect of which a declaration under [section 34](#) is for the time being in force, and—

(a)

the stock cannot be impounded or otherwise dealt with as provided in [section 33](#) because of its wildness; and

(b)

the ownership of the stock is not known to the local authority and cannot reasonably be ascertained,—

then, on obtaining a written authority signed by any 2 members of the local authority, or, where a Minister of the Crown is the local authority, signed by any person authorised by that Minister to sign such a written authority, any poundkeeper or ranger employed by the local authority may forthwith destroy the stock.

(2)

Where stock is found straying or wandering on any road or so near any road as to be reasonably likely to stray on to the road, and any constable has reasonable cause to believe that—

(a)

by reason of its fierceness the stock is a danger to persons using the road; and

(b)

the danger is so immediate that it is not possible or practicable for the stock to be impounded or to be dealt with under subsection (1),—

the constable may forthwith destroy the stock.

(3)

In this section the term **stock** means any horse, mare, gelding, colt, filly, or foal; and bull, cow, ox, steer, heifer, or calf; or any ass or mule.

(4)

Where any stock is destroyed in accordance with subsection (1) or subsection (2), the local authority or any member or servant thereof or the constable, as the case may be, shall not be liable for any damages which may subsequently be claimed by any owner or reputed owner of the stock.

(5)

The local authority may dispose in such manner as it thinks fit of the carcass of any stock destroyed in accordance with subsection (1) or subsection (2). The proceeds (if any) of the disposal of any such carcass shall form part of the funds of the local authority.

Section 42(1): amended, on 1 July 2003, by [section 262](#) of the Local Government Act 2002 (2002 No 84).

### *Special provisions as to stock too wild to impound*

## **38 Wild stock trespassing on land**

(1)

Where stock is trespassing on land, and cannot be impounded because of its wildness, the local authority within whose district the land is situated shall, at the request of the occupier of the land, and the tender of the cost and expense of the advertisement, forthwith cause a public notice to be advertised calling on the owner of the stock to remove the same from the land where it is trespassing, and warning him that if it is not removed within 7 days from the date of the advertisement of the notice it will be sold by public auction at the time and place specified in the notice.

(2)

Where the stock has not been removed within the said 7 days the local authority may cause it to be sold by public auction at the time and place so specified, and every such sale shall be conducted, and the proceeds of the sale shall be applied, in the same manner as provided in this Act in respect of the sale of impounded stock not released from the pound.

Compare: 1908 No 79 s 21