
Activities Performance Audit Committee

OPEN MINUTES

Minutes of a meeting of Activities Performance Audit Committee held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 8 June 2016 at 9am.

PRESENT

Chairperson	Lyall Bailey
Mayor	Gary Tong
Councillors	Stuart Baird
	Brian Dillon
	John Douglas
	Paul Duffy
	Bruce Ford
	George Harpur
	Julie Keast
	Ebel Kremer
	Gavin Macpherson
	Neil Paterson

IN ATTENDANCE

Chief Executive, Steve Ruru, Group Manager Policy and Community Rex Capil, Group Manager Environment and Community Bruce Halligan, Group Manager Services and Assets Ian Marshall, Chief Financial Officer Anne Robson, Chief Information Officer Damon Campbell, Strategic Manager Property Kevin McNaught, Manager Communications Louise Pagen and Committee Advisor Alyson Hamilton, Press.

1 Apologies

An apology for non-attendance was received from Councillor Dobson and an apology for lateness from Councillor Duffy.

Moved Cr Kremer, seconded Cr Patterson and **resolved:**

That the apology for non-attendance lodged by Councillor Dobson be sustained and the apology for lateness from Councillor Duffy be accepted

2 Leave of absence

There were no requests for leave of absence received.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

Moved Cr Ford, seconded Cr Paterson and **resolved:**

That the Activities Performance Audit Committee go into public forum to allow members of the public to speak.

Murray Dowling

Mr Dowling addressed the Committee outlining his objection to his dog receiving a dangerous dog classification.

Mr Dowling presented a written report outlining his concerns and stating the reasons for his objection for this proposed classification for the Committee to peruse.

Cr Douglas in referring to the report queried the proposed relocation of the dog to Gore.

Mr Dowling responded he plans to relocate the dog to Gore in due course and confirmed the property is fenced.

Cr Bailey queried whether the dog has shown a tendency to bite/bark at other dogs.

Mr Dowling responded his dog did not bite other dogs, however did bark at them when passing his property.

The Chair expressed appreciation to Mr Dowling for his attendance at the meeting and presentation to the Committee.

NOTE: Cr Duffy arrived at this point 9.15am

Moved Cr Ford, seconded Cr Kremer and **resolved:**

That the Activities Performance Audit Committee moves out of public forum.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Minutes

Resolution

Moved Cr Dillon, seconded Cr Macpherson **and resolved:**

That the minutes of Activities Performance Audit Committee meeting held on 18 May 2016 be confirmed as a true and correct record.

Reports

7.1 Objection to Dangerous Dog Classification

Record No: R/16/5/7905

Report by Michael Sarfaiti, Environmental Health Manager, regarding an objection received from Mr Murray Dowling to a dangerous dog classification, was tabled.

Mr Bruce Halligan, Group Manager Environmental Services, and Mr Michael Sarfaiti, Environmental Health Manager, spoke to this report.

Mr Halligan reported Mr Murray Francis Dowling has objected to his dog being classified as a dangerous dog.

Mr Halligan advised the dog was classified because of 2 attacks and proceeded to outline the Search Warrant process advising the warrant was applied for from the District Court in Invercargill and this was approved accordingly.

The Committee noted that as per the requirements of a Search Warrant police escort was arranged and impounding of the dog "Duke" was undertaken in accordance of the Dog Control Act 1996, section 57(5)(a) on Friday, 22 April 2016.

The Committee was advised Mr Dowling would not hand the dog over at this time, when the search warrant was executed and the dog was not found.

Members queried if the dog shifts to Gore as Mr Dowling has indicated, does this change the dangerous dog classification.

Mr Halligan responded the dangerous classification stays with the dog regardless which district he lives in.

Councillor Baird queried if the dog undertakes the necessary training can the dangerous classification be lifted.

Mr Halligan responded that legislation does not allow for this classification to be lifted, he added it is for the dog's life.

Resolution

Moved Cr Ford, seconded Cr Douglas **and resolved:**

That the Activities Performance Audit Committee:

- a) **Receives the report titled “Objection to Dangerous Dog Classification ” dated 31 May 2016.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Upholds the decision to classify “Duke” as a dangerous dog, owned by Mr Murray Francis Dowling, and gives notice of this decision and reasons for it to Mr Dowling.**

7.2 Results of the Community Housing Survey 2015/2016

Record No: R/16/5/7432

Report by Kevin McNaught, Strategic Manager Property, regarding the results of the Community Housing survey 2015/2016, was tabled.

Mr Kevin McNaught, Strategic Manager Property, spoke to this report.

Mr McNaught advised the Community Housing targeted survey is to identify areas for improvement in the Community Housing activity, and to monitor whether levels of service as outlined in the Council’s 10 Year Plan (LTP) are being achieved.

The Committee noted the Council owns 69 housing units, which are distributed in Edendale, Lumsden, Nightcaps, Ohai, Otautau, Riversdale, Riverton, Tuatapere, Winton and Wyndham.

Mr McNaught advised the units offer good quality affordable housing to groups with specific needs who are mainly elderly residents, who can remain living in their local communities when changes in their circumstances may have otherwise meant they could no longer do so.

Mr McNaught explained Council has a responsibility to ensure the units are safe and fit for residents to live in.

Members enquired as to whether the units are self supporting relative to rentals received.

Mr McNaught confirmed there are reserves available when required however implementing new health and safety regulations are proving expensive.

Resolution

Moved Cr Harpur, seconded Cr Macpherson **and resolved:**

That the Activities Performance Audit Committee:

- a) **Receives the report titled “Results of the Community Housing Survey 2015/2016 ” dated 31 May 2016.**

Public Excluded

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

Resolution

Moved Cr Keast, seconded Cr Baird **and resolved:**

That the public be excluded from the following part(s) of the proceedings of this meeting.

C8.1 Digitisation - Approval to negotiate with vendor

C8.2 Risk Register - Quarterly Update June 2016

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Digitisation - Approval to negotiate with vendor	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)..</p>	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.
Risk Register - Quarterly Update June 2016	<p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

That the Chief Executive, Steve Ruru, Group Manager Policy and Community Rex Capil, Group Manager Environment and Community Bruce Halligan, Chief Financial Officer Anne Robson, Manager Communications Louise Pagen and Committee Advisor Alyson Hamilton be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items **8.1 Digitisation - Approval to negotiate with vendor, 8.2 Risk Register - Quarterly Update June 2016.**

This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of their knowledge on the issues discussed and meeting procedure.

The public were excluded at 9.45am.

The meeting concluded at 10.15am

CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE ACTIVITIES
PERFORMANCE AUDIT COMMITTEE HELD
ON 7 JUNE 2016

DATE:.....

CHAIRPERSON:.....