

MINUTES	MEETING HELD ON	TIME
AUDIT AND RISK SUBCOMMITTEE	THURSDAY 10 APRIL 2014	9.00AM

MINUTES of a meeting of the **Audit and Risk Subcommittee**, held in the Council Chambers, Ground Floor, 175 Rimu Road, Paraparaumu, on **Thursday, 10 April 2014**, commencing at 9.00am.

PRESENT:

Cr	G	Welsh	Chairperson
Mayor	R	Church	
Cr	M	Cardiff	Deputy Mayor

IN ATTENDANCE:

Mr	P	Dougherty	Chief Executive
Mr	W	Maxwell	Group Manager Corporate Services
Ms	T	Evans	Group Manager Community Services
Mr	T	Power	Senior Legal Counsel
Mr	M	de Haast	Financial Controller
Mrs	A	Kenna	Media Relations Manager
Miss	A	McLaughlin	Democratic Services Advisor
Ms	S	Moynihan	Executive Assistant

The Chair welcomed everyone to the meeting.

ARS 14/04/10

APOLOGIES

MOVED (Welsh/Mayor)

That an apology be accepted from Councillor Murray Bell

CARRIED

ARS 14/04/11

30 MINUTE PUBLIC SPEAKING TIME

1. Salima Padamsey

Ms Padamsey spoke about her perception around the Shand Report. It was her belief that the Coastal Ratepayers United (CRU) members had been denigrated when they said that some of the science around this report was wrong and some of their members defamed, yet the subsequent report from the international panel of scientists had found that the CRU objections were right and the Shand Report to be totally unfit for its purpose. It was also her belief that Mr Carley was not an impartial member of the panel as he had had contact with Dr Shand.

With regards to Kotuku Parks, Ms Padamsey believed Council was secretly trying to avoid having Angus Gordon (a coastal scientist) appear in front of the science review panel because he might criticise Dr Shand's findings. She advised that although CRU had been assured that Dr Shand had been asked not to do anymore work pending the Panels review, an article in the Dominion Post of 8 April regards a comment by Kotuku Parks legal advisor, appeared to put this in doubt. She also queried why the placement of section 72 notices onto property titles had not been remedied by the Council.

The Chair requested evidence of any defamation of CRU by any Council Members.

Ms Padamsey responded that she had audio clips as evidence.

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Mr Mike Cardiff advised that with regards to the Shand report being finalised, the Council had been advised of this report having been done on 8 April 2014.

Ms Padamsey insisted the report was completed in January 2014 and she has a copy with that date.

Mr Mike Cardiff thanked her for clarifying that, as there seemed to be an anomaly over the date.

2. Peter Standen

Mr Standen spoke about his relief at the decision of the Council to withdraw the legal action against them. He was disappointed that it had been reported as new evidence that they had not informed the Council that they had guided the aborist with a Council brochure. Mr Standen stated that they had sent two letters to the Council informing of this (26 August, 5 November 2014).

Mr Standen stated that it was a myth that they had felled 70 trees on their property.

ARS 14/04/12

CONFIRMATION OF MINUTES

MOVED (Mayor/Cardiff)

That the Audit and Risk Subcommittee minutes of 27 February 2014 are accepted as a true and correct record.

CARRIED

ARS 14/04/13

MEMBERS' BUSINESS

(a) Public Speaking Time Responses

Mr Peter Standen

Ms Evans, Group Manager Community Services advised that the new information received by Council was not about the Standens being guided by the brochure, it was about information received last week, which enabled Council to corroborate the position that the Standens had taken in their defence, in terms of instructing the work to be done according to the brochure. The letters talked about being guided by the brochure, not instructing the work to be done within the rules.

With regards to the felling of 70 trees, at no time had Council said 70 trees were felled on the Standen's property, but instead talked about damage to 73 trees across both properties.

The Chairman took the opportunity to personally apologise to Mr Standen and his wife. He emphasised that he was speaking on behalf of himself and not on behalf of the Council. He hoped that a better solution to the situation could be found and that everyone could move on from here.

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Mayor Ross Church also outlined how he had been in a difficult position with regards to the prosecution over the tree felling as he had to be careful to not become involved in the legal process. However, he intended to contact the Standens as soon as there was an appropriate time to do so.

- (b) Leave of Absence
There were no leave of absence requests.
- (c) Matters of an Urgent Nature
There were no matters of an urgent nature.
- (d) Declarations of Interest Relating to Items on the Agenda
There were no declarations of interest.

ARS 14/04/14

PUBLIC EXCLUDED RESOLUTION

MOVED (Welsh/Mayor)

That the Audit & Risk Subcommittee move into a Public Excluded meeting:

PUBLIC EXCLUDED RESOLUTION		
<p>That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered:</p> <ul style="list-style-type: none"> • Confirmation of Public Excluded Minutes: 27 February 2014 • Withdrawal from the Local Authorities Protection Programme (Corp-14-1176) <p>The general subject of each matter to be considered, while the public are 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:</p>		
General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution
Confirmation of Public Excluded Minutes 27 February 2014	Section 7(2)(a) – to protect the privacy of natural persons.	48(1)(a): 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 would exist.

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Withdrawal from the Local Authorities Protection Programme (Corp-14-1176)	Section 7(2)(b)(ii) – 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.	48(1)(a): 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 would exist.
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The meeting went into public excluded session at 9.25am.

The meeting came out of public excluded session at 9.41am

The Audit and Risk Subcommittee meeting closed at 9.41am.

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Chairperson

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Date