

MINUTES

THURSDAY 5 MARCH 2009

11.16AM

Council Chamber
First Floor, Town Hall
Wakefield Street
Wellington

PRESENT:

Mayor Prendergast
Councillor Ahipene-Mercer
Councillor Best
Councillor Cook
Councillor Coughlan
Councillor Foster
Councillor Gill
Councillor Goulden
Councillor McKinnon
Councillor Morrison
Councillor Pannett
Councillor Pepperell
Councillor Ritchie
Councillor Wade-Brown
Councillor Wain

014/09C **APOLOGIES**
(1215/11/IM)

NOTED:

There were no apologies.

015/09C **PUBLIC PARTICIPATION**
(1215/11/IM)

NOTED:

There was no public participation.

016/09C **ANNOUNCEMENTS BY THE MAYOR**
(1215/11/IM)

NOTED:

There were announcements from the Mayor.

017/09C **PETITIONS**
(1215/11/IM)

NOTED:

There were no petitions.

018/09C **CONFLICT OF INTEREST DECLARATIONS**
(1215/11/IM)

NOTED:

There were no conflicts of interest.

General Business

019/09C **INDEPENDENT REVIEW OF CONCOURSE PROPOSAL FOR
INDOOR COMMUNITY SPORTS CENTRE**
Report of Karen Wallace – Chief Operating Officer.
(1215/11/IM)

(REPORT 1)

**Moved Councillor Pepperell, seconded Councillor Ritchie the
procedural motion that standing order 99.1 be suspended.**

The procedural motion was put:

Voting for: Councillors Best, Cook, Foster, Goulden, Pannett, Pepperell, Ritchie and Wade-Brown.

Voting against: Mayor Prendergast, Councillors Ahipene-Mercer, Coughlan, Gill, McKinnon, Morrison and Wain.

Majority Vote: 8:7

The procedural motion was declared LOST for the want of a $\frac{3}{4}$ majority.

Moved Mayor Prendergast, seconded Councillor McKinnon the substantive motion.

Pursuant to Standing Order 109, Councillor Goulden objected to words used by Councillor Morrison during debate and requested that they be recorded in the minutes. Mayor Prendergast agreed to the words being recorded in the minutes

The words that he objected to are as follows:

“and what’s happened with this deceit and dishonesty and betrayal and battle through the media is that we’ve lost sight.....”

Mayor Prendergast called Councillor Goulden to order for his disruptive behaviour and directed that he be named in the minutes in accordance with Standing Order 139.

Due to continued disruption, Mayor Prendergast adjourned the meeting for 5 minutes.

(The meeting adjourned at 12.29pm and reconvened 12.36pm.)

The substantive motion recommendation 3 was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Cook, Coughlan, Foster, Gill, McKinnon, Morrison, Wade-Brown and Wain.

Voting against: Councillors Goulden, Pannett, Pepperell and Ritchie.

Majority Vote: 11:4

The substantive motion recommendation was declared CARRIED.

The substantive motion recommendation 1, 2, 4, 5 and 6 were put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Cook, Coughlan, Foster, Gill, Goulden, McKinnon, Morrison, Pannett, Pepperell, Ritchie, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 15:0

The substantive motion recommendation 1, 2, 4, 5 and 6 were declared CARRIED.

RESOLVED:

THAT Council:

1. *Receive the information.*
2. *Agree that Sir John Anderson will manage and take responsibility for a review of the issues relating to Cobham Drive Park and the Stadium Concourse proposal.*
3. *Agree that the Council will abide by the review recommendations.*
4. *Note the Terms of Reference for the review attached at Appendix 1 of these minutes.*
5. *Note that Councillor Foster has stated he will withdraw from the appeal and will abide by the review recommendations if he agrees to the Terms of Reference.*
6. *Note that Council Officers will find compensatory savings to fund the cost of the review.*

020/09C **QUESTIONS**
(1215/11/IM)

NOTED:

There were no questions.

The meeting concluded at 12.41pm.

Confirmed: _____
Chair
/ /

Terms of Reference

1. Purpose

- 1.1. To assess and make recommendations to Council on the proposal for the city to build a 12 court indoor community sports centre. To examine all matters relevant to this issue relating to Cobham Drive Park and Stadium concourse.

2. The following is noted

- 2.1.1. Councillor Foster has advised he will formally withdraw his Environment Court Appeal against the granting of resource consent to Wellington City Council for purposes of constructing and operating an Indoor Community Sport Centre at Cobham Drive Park prior to the report back of this review.
- 2.1.2. That costs lie where they fall.

3. Scope

- 3.1. The review will evaluate the Concourse and Cobham Drive proposals against the criteria, to ensure a 12 court facility primarily for community sports use would be delivered in line with the consultation statement of proposal¹:

“The proposed sports centre would provide quality playing and training facilities for netball, basketball and volleyball, as well as for other sports and schools. It would also be able to host regional and national sports tournaments. Currently, very few indoor sports tournaments are held in Wellington City because of the lack of indoor sports facilities.

The Events Centre on the waterfront would remain the city’s main facility for large sports events such as international netball”

- 3.2. Sustainable design principles must be applied to minimise operational and renewal costs. In particular the building’s whole of life cost, energy use and material selections.
- 3.3. The Cobham design has been further refined through discussion with Council staff and design professionals, public engagement with the community and consultation with sporting codes and this is fairly represented by the design brief², subsequent revisions³

¹ March 2006 “Indoor Community Sport Centre, Have your say!”

² 25 September 2006 “Annex A – Design Brief, RFP Design”

³ “Indoor Community Sport Centre – Revised Brief”, sent I Maskell 22/02/2008

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and the design documentation as it stands today. The Concourse proposal will need to reflect these refinements, as appropriate.

4. Review

- 4.1. The Review will be managed by, and be the responsibility of, Sir John Anderson.
- 4.2. Sir John Anderson will be supported by council officers who's role will be to co-ordinate provision of advice from independent experts and a project manager to formulate the report.
- 4.3. The independent experts may include but will not be limited to;
 - 4.3.1. an architect with specialist knowledge of sports hall design,
 - 4.3.2. structural engineer,
 - 4.3.3. construction practitioner or advisor for matters relating to methodology,
 - 4.3.4. traffic engineer,
 - 4.3.5. representatives from the sporting codes,
 - 4.3.6. quantity surveyor,
 - 4.3.7. resource and building consent specialists,
 - 4.3.8. A legal advisor for matters relating to consultation,
 - 4.3.9. Greater Wellington Regional Council for matters relating to public transport provision, and
 - 4.3.10. Westpac Stadium Trust regarding the availability of the Concourse.
- 4.4. All Council staff, Council consultants and sporting code representatives [by prior arrangement] will be made available to the review.
- 4.5. Councillor Andy Foster, Ian Maskell and their specialist consultants will be given the opportunity to present to the review.
- 4.6. All previous reports and relevant information held by Council will be made available to the review.

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- 4.7. Information will be provided as requested where it is available and if this information is commercially sensitive, it will be provided on the basis that it cannot be made public.

5. The review will understand and assess the following aspects of both proposals (but not limited to)

5.1. Land

- 5.1.1.1. Consider and value Cobham Drive Park and take into account other significant issues including:
- 5.1.1.2. Process for disposal or part disposal.
- 5.1.1.3. Provide an opinion on whether the disposal or part disposal of the park for commercial use is feasible; whether it could and would likely be realised and in what timeframe; and an assessment of the associated costs of disposal.
- 5.1.1.4. Value or cost the use of the Concourse and take into account other relevant issues such as:
- 5.1.1.5. The process for acquisition for the construction and use of an Indoor Community Sport Centre given the Concourse is not only owned by Wellington City Council.
- 5.1.1.6. Provide an opinion on whether acquisition or use of the Concourse site could and would be likely to be realised and also an assessment of associated costs of acquisition or use.

5.2. Construction and Operational Cost

- 5.2.1. Assess the Capital Cost to construct both proposals in a way that satisfies the original consultation statement; complies with the brief and specifications in particular (but not limited to):
 - 5.2.1.1. All professional fees.
 - 5.2.1.2. All costs associated with obtaining consents.
 - 5.2.1.3. Operational layout for both sports play and the delivery of supporting equipment and supplies.
 - 5.2.1.4. Functional layout and components (such as sports floor specification) for sport.

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- 5.2.1.5. Access for staff, service/maintenance and other heavy vehicles and users, including fire egress for occupants and emergency services attendance to the site for maximum case occupancy level.
- 5.2.1.6. Durability.
- 5.2.1.7. Whole of Life cost on key components (Capex-related renewals).
- 5.2.1.8. Identify and value items specifically excluded/included from the Concourse proposal when compared to the Cobham proposal.
- 5.2.1.9. Identify whether there are any elements in the Concourse proposal sufficiently unresolved that require adjustment in the estimate, when compared to the Cobham proposal.
- 5.2.1.10. Construction methodology and timeframes.
- 5.2.1.11. Identify and value any outstanding risk items in both proposals.
- 5.2.2. Assess the Operational Costs (excluding staff-related costs as they do not relate to the physical asset) of both proposals so they comply with the brief and specifications, in particular (but not limited to):
 - 5.2.2.1. Energy and other services costs.
 - 5.2.2.2. Repairs and maintenance.
- 5.2.3. Assess the likelihood and costs required to mitigate construction risks due to the Concourse proposal's location, in particular (but not limited to):
 - 5.2.3.1. Direct construction-related risk that arises when constructing over the Concourse walkway and on an elevated construction site considering the frequency of and manner in which the Concourse is used.
 - 5.2.3.2. Direct construction-related risk that arises due to proximity to Waterloo Quay.
 - 5.2.3.3. Direct construction-related risk that arises due to proximity to the passenger and freight rail corridors.

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- 5.2.4. Assess the likelihood and costs required to mitigate construction risks at Cobham Drive Park location.
- 5.2.5. Assess and make suitable provision for the cost of changing to the Concourse proposal. This will include direct costs for consultation and the escalation costs caused by the time delay acknowledging 5.2.3.

5.3. Traffic and Parking

- 5.3.1. Assess and identify the parking issues, and consider the manner in which sports users generally will travel to both venues, and the Council's current policy not to charge for parking at recreation venues. Identify potential solutions and the associated costs including any impact on Stadium Trust revenue or other such adjustments.
- 5.3.2. Assess the impact of Indoor Community Sport Centre generated traffic on the network and identify any proposed solutions and their associated costs.

5.4. Design, Layout and Functionality

- 5.4.1. Assess how well both proposals meets the requirements of:
 - 5.4.1.1. The brief (refer 3.3).
 - 5.4.1.2. The Council's Urban Design Policy.
 - 5.4.1.3. Resource Consent requirements.
 - 5.4.1.4. Building Consent requirements.
 - 5.4.1.5. Operator and sporting codes requirements.
- 5.4.2. Assess how the Concourse design, post construction, could impact or enhance the Stadium.

5.5. Other Considerations

- 5.5.1. Assess whether are any substantial differences between either proposal, in regards to proximity to schools.

6. Multipurpose

- 6.1. Assess the feasibility of multipurpose use in addition to community sports including risk of compromised use.

7. Decision Making and Consultation Process

- 7.1.1. Review the consultation processes followed to date and determine whether the legal requirements of the Local Government Act have been met.

8. Westpac Stadium Trust

- 8.1.1. Assess the impact of the Concourse proposal on Westpac Stadium's operation in regards to revenue and direct costs associated with reduced patron numbers due to disruption during construction.
- 8.1.2. Assess the impact of the Concourse proposal on the Stadium's operation in respect of event days (and pack-in/pack-out and other preparation for event days), including but not limited to operations, safety and parking.

9. Rugby World Cup

- 9.1. Assess the impact or enhancement on Wellington's ability to host the Rugby World Cup 2011.
- 9.2. Assess and make suitable provision for the cost of construction-related escalation from this review date to the anticipated commencement of construction on the Concourse after the Rugby World Cup 2011.

10. Outputs

- 10.1. A report that shall include details on the process followed and the conclusions reached and supporting rationale for those conclusions.
- 10.2. Presentation of the report to Council including having the independent experts involved available for questions at the relevant Council meeting.

11. Timeframe

The review is to be completed in total including the report to Council by 21 April 2009.