

ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTES

Time: 9:30am
Date: Wednesday, 27 February 2019
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

PRESENT

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilberd
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

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1 Meeting Conduct

1.1 Karakia

The Chairperson opened the meeting at 9:31am with the following karakia.

Whakatata te hau ki te uru,	Cease oh winds of the west
Whakatata te hau ki te tonga.	and of the south
Kia mākinakina ki uta,	Let the bracing breezes flow,
Kia mātaratara ki tai.	over the land and the sea.
E hī ake ana te atākura.	Let the red-tipped dawn come
He tio, he huka, he hauhū.	with a sharpened edge, a touch of frost,
Tihei Mauri Ora!	a promise of a glorious day

(Councillor Calvert and Councillor Woolf arrived to the meeting at 09:32 a.m..)

1.2 Apologies

Moved Mayor Lester, seconded Councillor Sparrow

Resolved

That the Council:

1. Accept the apologies received from Councillor Lee.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

1.3 Announcements by the Mayor

The Mayor made an announcement on a minor change to the name of one of the Council portfolios. The “Public Transport” portfolio held by Councillor Free will now be called “Public Transport (Infrastructure)”. The purpose of this change is to clarify the distinction between the City Council’s public transport responsibilities and those of the Regional Council. The day-to-day responsibilities of the portfolio holder will not change and will be effective from today.

1.4 Conflict of Interest Declarations

No conflicts of interest were declared.

1.5 Confirmation of Minutes

Moved Mayor Lester, seconded Councillor Gilbert

Resolved

That the Council:

1. Approve the minutes of the Ordinary Council Meeting held on 25 December 2018, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

1.6 Items not on the Agenda

There were no items on the agenda.

1.7 Public Participation

1.7.1 Richard Burrell

Richard Burrell spoke to item 2.1, Town Hall Strengthening and Music Hub.

2. General Business

2.1 Town Hall Strengthening and Music Hub

Moved Mayor Lester, seconded Councillor Young

Recommendation/s

That the Council:

1. Receives the information.
2. Approves the tenancy agreements with Victoria University School of Music and the New Zealand Symphony Orchestra.
3. Approves additional funding for the Town Hall of \$19.3m to complete the strengthening project, amending the project budget from \$93.1 million (included in the 2018-28 Long Term Plan) to \$112.4 million excluding project contingency.
4. Agrees that in addition to the project budget of \$112.4 million, a contingency fund will be established based on terms agreed in the confidential paper entitled *Town Hall Strengthening Project Risk and Contingency Management* which will be considered in the public excluded agenda of the 27 February 2019 Council meeting.
5. Approves funding for design and strengthening works for the Municipal Office Building east wall of \$5.9 million.
6. Notes that in agreeing to amend the project budget to \$112.4 million and contingency fund, Council will proceed with formalising a construction contract with Naylor Love Wellington Ltd, which is the preferred tenderer.
7. Notes that if Council approves funding and a contract is formalised, the construction project is scheduled to commence in March/April 2019.
8. Delegates to the Chief Executive Officer the power to conclude all matters in relation to the lease, construction contract and separate contingency, including all legislative matters, issuing relevant public notices, negotiating the terms of any other related regulatory approvals, contracts, and works required to finalise the recommendations.

Moved Councillor Calvert, seconded Councillor Woolf the following amendment

Resolved

That the Council:

8. Subject to the other approved recommendations, delegates to the Chief Executive Officer the power to conclude all matters in relation to the lease, construction contract and separate contingency, including all legislative matters, issuing relevant public notices, negotiating the terms of any other related regulatory approvals, contracts, and works required to finalise the recommendations.

9. Note that reporting on progress of the Town Hall strengthening, music hub, lease agreements and Municipal Office Building strengthening will be included in the formal reporting to the relevant Committees with the appropriate delegations.
10. Note that council officers will provide, at a date to be determined, a briefing for elected members on how the community will be able to use and hire the facilities in the context of the current Collaboration and Relationship Agreement.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilberd
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

Moved Mayor Lester, seconded Councillor Young the following substantive motion

Resolved

That the Council:

1. Receives the information.
2. Approves the tenancy agreements with Victoria University School of Music and the New Zealand Symphony Orchestra.
3. Approves additional funding for the Town Hall of \$19.3m to complete the strengthening project, amending the project budget from \$93.1 million (included in the 2018-28 Long Term Plan) to \$112.4 million excluding project contingency.
4. Agrees that in addition to the project budget of \$112.4 million, a contingency fund will be established based on terms agreed in the confidential paper entitled *Town Hall Strengthening Project Risk and Contingency Management* which will be considered in the public excluded agenda of the 27 February 2019 Council meeting.
5. Approves funding for design and strengthening works for the Municipal Office Building east wall of \$5.9 million.
6. Notes that in agreeing to amend the project budget to \$112.4 million and contingency fund, Council will proceed with formalising a construction contract with Naylor Love Wellington Ltd, which is the preferred tenderer.

7. Notes that if Council approves funding and a contract is formalised, the construction project is scheduled to commence in March/April 2019.
8. Subject to the other approved recommendations, delegates to the Chief Executive Officer the power to conclude all matters in relation to the lease, construction contract and separate contingency, including all legislative matters, issuing relevant public notices, negotiating the terms of any other related regulatory approvals, contracts, and works required to finalise the recommendations.
9. Note that reporting on progress of the Town Hall strengthening, music hub, lease agreements and Municipal Office Building strengthening will be included in the formal reporting to the relevant Committees with the appropriate delegations.
10. Note that council officers will provide, at a date to be determined, a briefing for elected members on how the community will be able to use and hire the facilities in the context of the current Collaboration and Relationship Agreement.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

The meeting adjourned for morning tea at 10:30am. The meeting reconvened at 10:49am with the following members present: Councillor Calvert, Councillor Calvi-Freeman, Councillor Dawson, Councillor Day, Councillor Fitzsimons, Councillor Foster, Councillor Free, Councillor Gilbert, Mayor Lester, Councillor Marsh, Councillor Pannett, Councillor Sparrow, Councillor Woolf and Councillor Young.

3. Committee Reports

3.1 Report of the Regulatory Processes Committee Meeting of 13 February 2019

Proposed road stopping - Land adjoining 42 View Road, Houghton Bay

Moved Councillor Sparrow, seconded Councillor Calvi-Freeman

Resolved

That the Council:

1. Agrees that approximately 85m² (subject to survey) of unformed legal road land in View Road, Houghton Bay, shown outlined red on Attachment 2 (the Land), and adjoining 42 View Road (being Lots 7 and 8 DP 4221 CFR WN425/24) is not required for a public work and is surplus to Council requirements.
2. Agrees to dispose of the Land.
3. Agrees that approximately 1m² (subject to survey) of unformed legal road land in View Road, Houghton Bay, highlighted blue on Attachment 2 and adjoining 42 View Road (being Lots 7 and 8 DP 4221 CFR WN425/24) is not required for road, and can be stopped for use as an isolation strip.
4. Delegates to the Chief Executive Officer the power to conclude all matters in relation to the road stopping and disposal of the Land, including all legislative matters, issuing relevant public notices, declaring the road stopped, negotiating the terms of sale or exchange, impose any reasonable covenants, and anything else necessary.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

**Road stopping and land exchange - Legal road in Mansfield Street adjoining
3 Roy Street, Newtown**

Moved Councillor Sparrow, seconded Councillor Calvi-Freeman

Resolved

That the Council:

1. Agrees that approximately 29m² (subject to survey) of unformed road land in Mansfield Street, Newtown, shown outlined red on Attachment 1 (the Land), and adjoining 3 Roy Street, Newtown (Lot 1 DP 8332 ROT WN480/107) is not required for a public work and is surplus to Council requirements.
2. Agrees to dispose of the Land by partial exchange and/or sale for approximately 6m² of the owners adjoining land currently part of 3 Roy Street, Newtown (Lot 1 DP 8332 ROT WN480/107) shown outlined blue in Attachment 1 (the Applicant's Land).
3. Agrees to acquire the Applicant's Land.
4. Delegates to the Chief Executive Officer all powers necessary to conclude this transaction including all legislative matters, negotiating the terms of sale and exchange, imposing any reasonable covenants, and anything else deemed necessary.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

4. PUBLIC EXCLUDED

MOVED MAYOR LESTER, SECONDED COUNCILLOR DAWSON

RESOLVED

THAT THE COUNCIL:

1. PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987, EXCLUDE THE PUBLIC FROM THE FOLLOWING PART OF THE PROCEEDINGS OF THIS MEETING NAMELY:

GENERAL SUBJECT OF THE MATTER TO BE CONSIDERED	REASONS FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
4.1 PUBLIC EXCLUDED REPORT OF THE ENVIRONMENT COMMITTEE MEETING OF 11 FEBRUARY 2016	7(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.	S48(1)(A) THAT THE PUBLIC CONDUCT OF THIS ITEM WOULD BE LIKELY TO RESULT IN THE DISCLOSURE OF INFORMATION FOR WHICH GOOD REASON FOR WITHHOLDING WOULD EXIST UNDER SECTION 7.
4.2 TOWN HALL STRENGTHENING PROJECT RISK AND CONTINGENCY MANAGEMENT	7(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.	S48(1)(A) THAT THE PUBLIC CONDUCT OF THIS ITEM WOULD BE LIKELY TO RESULT IN THE DISCLOSURE OF INFORMATION FOR WHICH GOOD REASON FOR WITHHOLDING WOULD EXIST UNDER SECTION 7.

A DIVISION WAS REQUIRED UNDER STANDING ORDER 3.18.6(D), VOTING ON WHICH WAS AS FOLLOWS:

FOR:

MAYOR LESTER
COUNCILLOR CALVERT
COUNCILLOR CALVI-FREEMAN
COUNCILLOR DAWSON
COUNCILLOR DAY
COUNCILLOR FITZSIMONS
COUNCILLOR FOSTER
COUNCILLOR FREE
COUNCILLOR GILBERD
COUNCILLOR MARSH
COUNCILLOR PANNETT
COUNCILLOR SPARROW
COUNCILLOR WOOLF
COUNCILLOR YOUNG

AGAINST:

MAJORITY VOTE: 14:0

CARRIED

The meeting went into public excluded session at 10:52am.

The meeting concluded at 10:54am.

Confirmed: _____
Chair