
ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTES

Time: 9:30am
Date: Wednesday, 27 May 2020
Venue: Virtual Meeting

PRESENT

Mayor Foster (via audiovisual link)
Councillor Calvert (via audiovisual link)
Councillor Condie (via audiovisual link)
Councillor Day (via audiovisual link)
Councillor Fitzsimons (via audiovisual link)
Councillor Foon (via audiovisual link)
Deputy Mayor Free (via audiovisual link)
Councillor Matthews (via audiovisual link)
Councillor O'Neill (via audiovisual link)
Councillor Pannett (via audiovisual link)
Councillor Paul (via audiovisual link)
Councillor Rush (via audiovisual link)
Councillor Sparrow (via audiovisual link)
Councillor Woolf (via audiovisual link)
Councillor Young (via audiovisual link)

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1 Meeting Conduct

1.1 Karakia

The Chairperson opened the meeting at 9:32 am with the following karakia.

Whakataka te hau ki te uru,	Cease oh winds of the west
Whakataka 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

1.2 Apologies

No apologies were received.

1.3 Announcements by the Mayor

Mayor Foster advised that given its significance, more information and advice had been requested in relation to item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options. The Mayor noted that the item would be adjourned to be considered at the reconvened Council meeting.

1.4 Conflict of Interest Declarations

No conflicts of interest were declared.

1.5 Confirmation of Minutes

Moved Mayor Foster, seconded Councillor O'Neill

Resolved

That the Council:

1. Approves the minutes of the Ordinary Council Meeting held on 7 May 2020, 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 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor

Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

1. 6 Items not on the Agenda

There were no items not on the agenda.

1. 7 Public Participation

1.7.1 Cardinal John Dew - Archbishop of Wellington and John Prendergast - General Manager, Archdiocese of Wellington Communications

Representing the Cathedral of the Sacred Heart Parish, Cardinal John Dew and John Prendergast spoke to item 2.1 Catholic Cathedral Out-of-Round Application to the Built Heritage Incentive Fund.

1.7.2 DK - TEDxWellington

Representing TEDxWellington, DK spoke to item 2.3 City Recovery Fund.

1.7.3 Helene Ritchie

Helene Ritchie spoke to item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options.

1.7.4 Lindsay Shelton – Wellington Scoop

Representing Wellington Scoop, Lindsay Shelton spoke to item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options.

1.7.5 Peter Skrzyński

Peter Skrzyński spoke to item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options.

1.7.6 Roger Walker

Roger Walker spoke to item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options.

1.7.7 Kate Linzey - Wellington Architectural Centre

Representing the Wellington Architectural Centre, Kate Linzey spoke to item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options.

1.7.8 Adam Thornton

Adam Thornton spoke to item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options.

1.7.9 Meg Williams – Arts Wellington

Representing Arts Wellington, Meg Williams spoke to item 2.3 City Recovery Fund.

1.7.10 John Milford – Wellington Chamber of Commerce

Representing the Wellington Chamber of Commerce, John Milford spoke to items 2.2 Wellington Central Library Building and Service Update and Building Remediation Options and 2.3 City Recovery Fund.

1.7.11 Jamie Williams - Kapura

Representing Kapura, Jamie Williams spoke to item 2.3 City Recovery Fund.

1.7.12 Tabled documents at Public Participation

Attachments

- 1 John Prendergast
- 2 Helene Ritchie
- 3 Jamie Williams

Suspension of standing orders

Note: In accordance with standing order 2.4 a motion to suspend standing orders requires a 75% majority in order to be carried.

Moved Mayor Foster, seconded Deputy Mayor Free

Resolved

That the Council:

1. Temporarily suspends standing order 16.5 (Members to speak in place and address the chairperson), to allow members to remain seated when speaking at a Council meeting.

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

PRECEDENCE OF BUSINESS

That in accordance with Standing Order 19.1, the Chairperson accorded precedence to some items of business and announced that the agenda would be considered in the following order:

- Item 2.1 Catholic Cathedral Out-of-Round Application to the Built Heritage Incentive Fund
- Item 2.3 City Recovery Fund
- Item 3 Public Excluded
- Item 3.1 Appointments to Council Controlled Organisations
- Item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options

2. General Business

2.1 Catholic Cathedral Out-of-Round Application to the Built Heritage Incentive Fund

Moved Councillor Pannett, seconded Mayor Foster

Resolved

That the Council:

1. Receive the information.
2. Agree to consider a one-off, out-of-round application for up to \$120,000 from the 2020/21 Built Heritage Incentive Fund (BHIF) for seismic strengthening of the Sacred Heart Catholic Cathedral (the cathedral) and directs officers accordingly.
3. **Agree that this decision does not set a precedent for future applications.**
4. Note that pre-approval of BHIF funding for the cathedral from the 2020/21 financial year will be subject to continuing support for the BHIF in Council's 2020/21 Annual Plan.
5. Note that the Strategy and Policy Committee approves all BHIF grants over \$100,000 **as a general rule.**
6. **Note that the Cathedral sees that where there is no conflict with church activities that the church can be used as a city resource to host artistic and community events.**

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

Secretarial note: Councillor Pannett moved the original motion with amendments (supported by officers): clauses 3 and 5 were amended, and clause 6 was added to the original motion.

Secretarial note: The meeting temporarily adjourned at 11:02am and reconvened at 11:16am with all the members present.

2.3 City Recovery Fund

Moved Mayor Foster, seconded Councillor Calvert

Recommendation/s

That the Council:

1. Receive the information.
2. Agree to adopt the City Recovery Fund framework as set out in this report.

Moved Councillor Foon, seconded Councillor Paul, the following amendment

Resolved

That the Council

3. Agree to add a banner to the name "city recovery fund" that relates to the recovery package as part of the annual plan and creates a positive framing for the recovery fund. So the fund will be named

Tipu Toa : Build, Back, Better

The City Recovery Fund

4. Agree that the Decision Making framework for applications of between \$100k and \$300k be amended to clarify that the consultation by the Chief Executive is with one or more of the relevant Portfolio Lead(s) as well as the Mayor and Deputy Mayor.
5. Agree that contributing to the goals of Towards 2040: Smart Capital and Te Atakura be added as an additional General Criteria for the fund.

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

Moved Mayor Foster, seconded Councillor Calvert, the following substantive motion

Resolved

That the Council:

1. Receive the information.
2. Agree to adopt the City Recovery Fund framework as set out in this report.
3. Agree to add a banner to the name "city recovery fund" that relates to the recovery package as part of the annual plan and creates a positive framing for the recovery fund. So the fund will be named

Tipu Toa : Build, Back, Better

The City Recovery Fund

4. Agree that the Decision Making framework for applications of between \$100k and \$300k be amended to clarify that the consultation by the Chief Executive is with one or more of the relevant Portfolio Lead(s) as well as the Mayor and Deputy Mayor.
5. Agree that contributing to the goals of Towards 2040: Smart Capital and Te Atakura be added as an additional General Criteria for the fund.

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

3. Public Excluded

Moved Mayor Foster, seconded Councillor Day

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
3.1 Appointments to Council Controlled Organisations	7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	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 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

The meeting went into public excluded session at 12:14pm.

The meeting returned from public excluded session at 12:30pm.

Suspension of standing orders

Note: In accordance with standing order 2.4 a motion to suspend standing orders requires a 75% majority in order to be carried.

Moved Mayor Foster, seconded Councillor Matthews

Resolved

That the Council:

1. Temporarily suspends standing order 20.7 (*Members speaking more than once*), to allow members to speak more than once to a motion or amendment.

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

2.2 Wellington Central Library Building and Service Update and Building Remediation Options

Moved Mayor Foster, seconded Councillor Fitzsimons

Recommendation/s

That the Council:

1. Receive the information.
Library building related matters
2. Note the preliminary designs and costs for three structural remediation schemes for the Central Library Building have been completed in consultation with a cross section of senior structural engineers.
3. Note that the Central Library Building's mechanical, fire, electrical and hydraulic systems have been assessed by engineers and require significant upgrade or replacement.

4. Note the high level cost estimates to structurally remediate the Central Library Building, upgrade the building services and reconfigure and upgrade the fit out to accommodate a modern library service (outlined in paragraphs 42-46).
5. Note that costs to improve the access and integration of the Central Library Building to Civic Square and Te Ngākau Civic Precinct have not yet been established.
6. Agree that any building that accommodates Wellington's future central city library service should be resilient (in respect of both the building structure and building services) to a level that ensures it is suitable for reoccupation almost immediately after a significant earthquake and takes into consideration the impacts of climate change including sea level rise.

CBD library services including future service model

7. Note that the interim CBD library network has been designed to ensure continuity of access to library services in the central city. Two libraries have been opened and the third, 1400sqm Te Awe Library will follow in July, along with the new Collection and Distribution Centre, Te Pātaka, which will provide access, to the physical collection previously housed in the Central Library Building.
8. Note that officers are developing a high-level concept, to be further informed through community and stakeholder engagement, for a future Central Library service that could integrate civic, cultural and creative activities and programmes, enable the formation of community and service partnerships, and deliver a modern, 21st century service.
9. Note that a modernised library service could be accommodated in either an appropriately remediated and reconfigured Central Library Building, or in another fit for purpose building.
10. Note that the current configuration of the Central Library Building means it does not integrate well or actively relate to Civic Square and the surrounding areas - addressing this would bring significant benefits to the users of the building and to the wider area.

Community engagement

11. Request officers develop a public engagement campaign that seeks to understand and acknowledge the current and future needs of customers, visitors and ratepayers to inform the design for a future central city library service.
12. Agree that the proposed engagement should seek public opinion on the remediation of the current building as well as options for a new build on the same site.
13. Note that the public engagement campaign, and work undertaken in parallel with it, will explore the feasibility of colocation and partnering with the community and other service providers.
14. Note that the public engagement campaign will be aligned to the ongoing planning for the future of Te Ngākau – Civic Precinct.

Financial implications

15. Note that no capex funding is currently allocated in the 2018-28 Long-term Plan (LTP) for major capital works relating to the development of the Central Library Building.
16. Agree that \$1.1M allocated in the 2021 Annual Plan for Te Ngākau Civic Precinct design and consultancy, will be used in part to produce developed designs for the library building when required.

Process and next steps

17. Note the proposed timeline that includes public engagement, engineering and design activity, consultation and budget allocation via the 2021-31 LTP.

Moved Deputy Mayor Free, seconded Councillor Pannett the following procedural motion

Resolved

That the Council:

1. Adjourn the meeting to 1:30pm on Wednesday 3 June 2020 as a virtual meeting via Zoom.

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

The meeting was adjourned at 12:33pm with the reading of the following karakia:

Unuhia, unuhia, unuhia ki te uru tapu nui	Draw on, draw on
Kia wātea, kia māmā, te ngākau, te tinana, te wairua	Draw on the supreme sacredness To clear, to free the heart, the body and the spirit of mankind
I te ara takatū	
Koia rā e Rongo, whakairia ake ki runga	Oh Rongo, above (symbol of peace)
Kia wātea, kia wātea	Let this all be done in unity

Āe rā, kua wātea!

The Chairperson reconvened the meeting on 3 June 2020 at 1:33 pm with the following karakia.

Whakataka te hau ki te uru,	Cease oh winds of the west
Whakataka 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

2.2 Wellington Central Library Building and Service Update and Building Remediation Options (Reconvened)

Moved Mayor Foster, seconded Councillor Fitzsimons, the following amended motion

That the Council:

1. Receive the information.
Library building related matters
2. **Agree that the Council will make the provision of a Central Library one of its top priorities given that Wellingtonians place a high value on this service and that there is a strong community desire to see this service return as soon as possible.**
3. Note the preliminary designs and costs for three structural remediation schemes for the Central Library Building have been completed in consultation with a cross section of senior structural engineers.
4. Note that the Central Library Building's mechanical, fire, electrical and hydraulic systems have been assessed by building services engineers who have recommended significant upgrade or replacement **of this plant and equipment.**
5. Note the high level cost estimates to structurally remediate the Central Library Building, upgrade the building services and reconfigure and upgrade the fit out to accommodate a modern library service (outlined in paragraphs 42-46).
6. **Note that the cost estimates for the building remediation and re-build options presented to date are preliminary only at this early stage and may change through the design process.**
7. Note that **concept designs and** costs to improve the access and integration of the Central Library Building to Civic Square and Te Ngākau Civic Precinct have not yet been

established.

~~Agree that any building that accommodates Wellington's future central city library service should be resilient (in respect of both the building structure and building services) to a level that ensures it is suitable for reoccupation almost immediately after a significant earthquake and takes into consideration the impacts of climate change including sea level rise.~~

CBD library services including future service model

8. Note that the interim CBD library network has been designed to ensure continuity of access to library services in the central city. Two libraries have been opened and the third, 1400sqm Te Awe Library will follow in July, along with the new Collection and Distribution Centre, Te Pātaka, which will provide access, to the physical collection previously housed in the Central Library Building.
9. Note that officers are developing a high-level concept, to be further informed through community and stakeholder engagement, for a future Central Library service that could integrate civic, cultural and creative activities and programmes, enable the formation of community and service partnerships, and deliver a modern, 21st century service.
10. Note that a modernised library service could be accommodated in either an appropriately remediated and reconfigured Central Library Building, or in another fit for purpose building.
11. Note that the current configuration of the Central Library Building means it does not integrate well or actively relate to Civic Square and the surrounding areas - addressing this would bring significant benefits to the users of the building and to the wider area.

Special Consultative Procedure and Community engagement

12. ~~Request officers prepare a Statement of Proposal for Council adoption, followed by public consultation using the special consultative procedure (S83 Local Government Act). The purpose is to outline the reasonably practicable options, their advantages and disadvantages of each, high level indicative costs and the Council's preferred option(s)~~
13. ~~Agree that the Council's current preference is to strengthen and upgrade the existing central library building, noting that options to achieve this, and all other practicable options, will be considered as part of planned community consultation in August/September this year, with a Statement of Proposal to be approved by the Council at its meeting scheduled for 21 July 2020.~~
14. ~~Note that under Sections 76-83 of the Local Government Act, the Council, in making its decision on the future of the Central Library must identify all reasonably practicable options and seek community views.~~

~~Request officers develop a public engagement campaign that seeks to understand and acknowledge the current and future needs of customers, visitors and ratepayers to inform the design for a future central city library service.~~

~~Agree that the proposed engagement should seek public opinion on the remediation of the current building as well as options for a new build on the same site.~~

15. Note that the public engagement campaign, and work undertaken in parallel with it, will explore the feasibility of colocation and partnering with the community and other service providers.
16. Note that the public engagement campaign will be aligned to the ongoing planning for the future of Te Ngākau – Civic Precinct.

Financial implications

17. Note that no capex funding is currently allocated in the 2018-28 Long-term Plan (LTP) for major capital works relating to the redevelopment of the Central Library Building.
18. Recommend to the Long Term Plan and Annual Plan Committee, that an additional \$2M (CAPEX) be included in the 2020-21 annual plan to advance developed design on the current library building to speed up decision making and the implementation of an agreed solution.
19. Agree that \$1.1M OPEX allocated in the 2021 Annual Plan for Te Ngākau Civic Precinct design and consultancy, will be used in part to produce developed designs for the library building, and its connections with Civic Square when required.

Process and next steps

20. Endorse the proposed process and indicative timeline outlined in the information 'Expedited process and timeline for decision making around the Central Library', tabled by the Chief Executive
21. Note the proposed timeline that includes public engagement, engineering and design activity, consultation and budget allocation via the 2021-31 LTP, referred to in paragraph 98, is superseded by the expedited process outlined in the information tabled by the Chief Executive.

Secretarial note: Deputy Mayor Free suggested the original motion be amended (supported by officers) with the agreement of the mover and seconder of the motion and with the agreement of members: clauses 4, 7, 12, 14, 19 and 21 were amended, and clauses 2, 6, 13, 18 and 20 were added to the original motion.

Moved Councillor Calvert, seconded Councillor Day, the following amendment

Resolved

That the Council

22. Agree that in developing the practicable options for consultation, Capital E's return to Te Ngākau, as part of a redeveloped Central Library, be explored by officers in conjunction with Wellington Museums Trust, for inclusion in the statement of proposal and subsequent public engagement for the Central Library.

23. Direct officers, as part of the upcoming statement of proposal and subsequent public engagement for the Central Library options, to include the current and future planned services of Capital E (whose mission is to ‘ignite and fuel the creative spark in children and young people, equipping them with skills to be confident, capable, creative citizens in a world of possibilities’) so as not to unnecessary duplicate future service options by the Central Library.

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O’Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

Moved Councillor Pannett, seconded Councillor Paul, the following amendment

Resolved

That the Council:

2. Agree that the Council will make the **re-opening** of a Central Library one of its top priorities given that Wellingtonians place a high value on this **service and facility** and that there is a strong community desire to see this service return as soon as possible.
- 2.A Agree to ask the CEO Performance Review Committee to reflect the priority of the central library project in the Chief Executive’s performance agreement.
7. Note that concept designs and costs to improve the access and integration of the Central Library Building to Civic Square and Te Ngākau Civic Precinct have not yet been established and that the impacts of climate change and earthquakes will be taken into consideration through the entire design process.

Carried

Secretarial note: The amendment moved by Councillor Pannett and seconded by Councillor Paul was taken in parts, the divisions for which are as follows:

- Clause 2. Agree that the Council will make the re-opening of a Central Library one of its top priorities given that Wellingtonians place a high value on this service and facility and that there is a strong community desire to see this service return as soon as possible

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Councillor Condie

Majority Vote: 14:1

Carried

Clauses 2.A and 7

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

Moved Mayor Foster, seconded Councillor Fitzsimons, the following substantive motion

Resolved

That the Council:

1. Receive the information.
Library building related matters
2. Agree that the Council will make the **re-opening** of a Central Library one of its top priorities given that Wellingtonians place a high value on this **service and facility** and that there is a strong community desire to see this service return as soon as possible.
- 2.A Agree to ask the CEO Performance Review Committee to reflect the priority of the central library project in the Chief Executive's performance agreement.
3. Note the preliminary designs and costs for three structural remediation schemes for the Central Library Building have been completed in consultation with a cross section of senior structural engineers.

4. Note that the Central Library Building's mechanical, fire, electrical and hydraulic systems have been assessed by building services engineers who have recommended significant upgrade or replacement **of this plant and equipment.**
5. Note the high level cost estimates to structurally remediate the Central Library Building, upgrade the building services and reconfigure and upgrade the fit out to accommodate a modern library service (outlined in paragraphs 42-46).
6. **Note that the cost estimates for the building remediation and re-build options presented to date are preliminary only at this early stage and may change through the design process.**
7. Note that concept designs and costs to improve the access and integration of the Central Library Building to Civic Square and Te Ngākau Civic Precinct have not yet been established and that the impacts of climate change and earthquakes will be taken into consideration through the entire design process.

~~Agree that any building that accommodates Wellington's future central city library service should be resilient (in respect of both the building structure and building services) to a level that ensures it is suitable for reoccupation almost immediately after a significant earthquake and takes into consideration the impacts of climate change including sea level rise.~~

CBD library services including future service model

8. Note that the interim CBD library network has been designed to ensure continuity of access to library services in the central city. Two libraries have been opened and the third, 1400sqm Te Awe Library will follow in July, along with the new Collection and Distribution Centre, Te Pātaka, which will provide access, to the physical collection previously housed in the Central Library Building.
9. Note that officers are developing a high-level concept, to be further informed through community and stakeholder engagement, for a future Central Library service that could integrate civic, cultural and creative activities and programmes, enable the formation of community and service partnerships, and deliver a modern, 21st century service.
10. Note that a modernised library service could be accommodated in either an appropriately remediated and reconfigured Central Library Building, or in another fit for purpose building.
11. Note that the current configuration of the Central Library Building means it does not integrate well or actively relate to Civic Square and the surrounding areas - addressing this would bring significant benefits to the users of the building and to the wider area.

Special Consultative Procedure and Community engagement

12. **Request officers prepare a Statement of Proposal for Council adoption, followed by public consultation using the special consultative procedure (S83 Local Government Act). The purpose is to outline the reasonably practicable options, their advantages and**

- disadvantages of each, high level indicative costs and the Council's preferred option(s)
13. Agree that the Council's current preference is to strengthen and upgrade the existing central library building, noting that options to achieve this, and all other practicable options, will be considered as part of planned community consultation in August/September this year, with a Statement of Proposal to be approved by the Council at its meeting scheduled for 21 July 2020.
 14. Note that under Sections 76-83 of the Local Government Act, the Council, in making its decision on the future of the Central Library must identify all reasonably practicable options and seek community views.
~~Request officers develop a public engagement campaign that seeks to understand and acknowledge the current and future needs of customers, visitors and ratepayers to inform the design for a future central city library service.~~
~~Agree that the proposed engagement should seek public opinion on the remediation of the current building as well as options for a new build on the same site.~~
 15. Note that the public engagement campaign, and work undertaken in parallel with it, will explore the feasibility of colocation and partnering with the community and other service providers.
 16. Note that the public engagement campaign will be aligned to the ongoing planning for the future of Te Ngākau – Civic Precinct.
Financial implications
 17. Note that no capex funding is currently allocated in the 2018-28 Long-term Plan (LTP) for major capital works relating to the redevelopment of the Central Library Building.
 18. Recommend to the Long Term Plan and Annual Plan Committee, that an additional \$2M (CAPEX) be included in the 2020-21 annual plan to advance developed design on the current library building to speed up decision making and the implementation of an agreed solution.
 19. Agree that \$1.1M OPEX allocated in the 2021 Annual Plan for Te Ngākau Civic Precinct design and consultancy, will be used in part to produce developed designs for the library building, and its connections with Civic Square when required.
 - Process and next steps*
 20. Endorse the proposed process and indicative timeline outlined in the information 'Expedited process and timeline for decision making around the Central Library', tabled by the Chief Executive
 21. Note the proposed timeline that includes public engagement, engineering and design activity, consultation and budget allocation via the 2021-31 LTP, referred to in paragraph 98, is superseded by the expedited process outlined in the information tabled by the Chief Executive.

22. Agree that in developing the practicable options for consultation, Capital E's return to Te Ngākau, as part of a redeveloped Central Library, be explored by officers in conjunction with Wellington Museums Trust, for inclusion in the statement of proposal and subsequent public engagement for the Central Library
23. Direct officers, as part of the upcoming statement of proposal and subsequent public engagement for the Central Library options, to include the current and future planned services of Capital E (whose mission is to 'ignite and fuel the creative spark in children and young people, equipping them with skills to be confident, capable, creative citizens in a world of possibilities") so as not to unnecessary duplicate future service options by the Central library.

Carried

Secretarial note: The substantive motion moved by Mayor Foster and seconded by Councillor Fitzsimons was taken in parts, the divisions for which are as follows:

Clause 13 Agree that the Council's current preference is to strengthen and upgrade the existing central library building, noting that options to achieve this, and all other practicable options, will be considered as part of planned community consultation in August/September this year, with a Statement of Proposal to be approved by the Council at its meeting scheduled for 21 July 2020.

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Councillor Condie

Majority Vote: 14:1

Carried

Clauses 1 to 12 and 14 to 23

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

Attachments

- 1 Additional Information related to item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options

The meeting concluded at 2:58pm with the reading of the following karakia:

Unuhia, unuhia, unuhia ki te uru tapu nui	Draw on, draw on
Kia wātea, kia māmā, te ngākau, te tinana, te wairua	Draw on the supreme sacredness To clear, to free the heart, the body and the spirit of mankind
I te ara takatū	
Koia rā e Rongo, whakairia ake ki runga	Oh Rongo, above (symbol of peace)
Kia wātea, kia wātea	Let this all be done in unity
Āe rā, kua wātea!	

Confirmed: _____
Chair

ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTE ITEM ATTACHMENTS

Time: 9:30am
Date: Wednesday, 27 May 2020
Venue: Virtual meeting

Business	Page No.
-----------------	-----------------

1.7 Tabled documents at Public Participation

- | | |
|---------------------|----|
| 1. John Prendergast | 2 |
| 2. Helene Ritchie | 8 |
| 3. Jamie Williams | 15 |

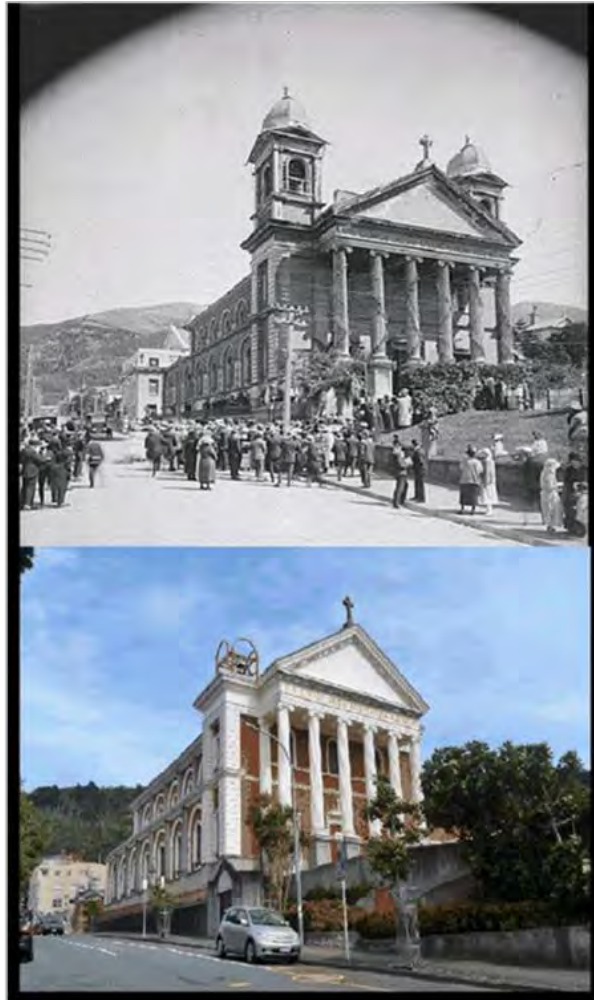
2.2 Wellington Central Library Building and Service Update and Building Remediation Options

- | | |
|---|----|
| 1. Additional Information related to item 2.2 Wellington Central Library Building and Service Update and Building Remediation Options | 26 |
|---|----|

Metropolitan Cathedral of the Sacred Heart



Why Are We Here?



Seismic Strengthening11 March 202027 May 2020

Project cost

\$3,342,000

\$2,600,000

Funded By:

Funds raised

2,000,000



2,572,508

Underwrite

1,100,000

Nil

To be raised

242,00027,492

Sub Total

3,342,000

2,600,000

Deferred:

Roof recladding

Nil

153,000*

Interior painting, lighting, &
floorcoverings

Nil

589,000

Total

\$3,342,000\$3,342,000

Seismic Strengthening

11 March 2020

27 May 2020

Project cost \$3,342,000

\$2,600,000

Funded By:

Funds raised 2,000,000

Underwrite 1,100,000

To be raised 242,000

Sub Total 3,342,000



2,572,508

Nil

27,492

2,600,000

Deferred:

Roof recladding Nil

153,000*

Interior painting, lighting, &

floorcoverings Nil

589,000

Total \$3,342,000

\$3,342,000

Avoid \$80,000 Duplicated Scaffolding Cost



Metropolitan Cathedral of the Sacred Heart



Wellington City Public Library

25 May 2020

OPEN LETTER

To The Mayor, Wellington City Councillors, the Chief Executive Barbara Mc Kerrow, and Peter Brennan, Manager Property.

From Helene Ritchie 0274488669 helene.ritchie@icloud.com

Re Report 2.2 Council meeting May 27 2020.

Wellington Central library building and service update and building remediation options.

Kia ora Mayor Foster, Councillors, Chief Executive Barbara Mc Kerrow and Peter Brennan

Purpose

The purpose of my letter is to propose a way forward and urge the mayor and Councillors to take immediate action to remediate Wellington Central Library in the most cost effective way, and reopen it at the earliest possible time.

Introduction

At present instead of being a buzzing library with books, people and a range of other activities, we have a building which sits empty, barricaded in the heart of Wellington, a sad symbol of Council's ineptitude and paralysis. I and the public, are very concerned that this significant asset of Council has already been lying waste and empty for over a year.

The release of the officer report and its recommendations and proposed cost of over \$200 million have left many of the Wellington public including myself, reeling in shock. It is simply inconceivable how a request for a relatively minor "fix" has become another unaffordable \$200 million vanity project, with the overblown options, cost and ambition, of virtually a rebuild internally, or demolition and a new build.

The officer report (item 2.2) fails as it does not progress the fixing and reopening of the library as soon as possible, and instead proposes options, with significant (years and years) of delay, most likely never to be achieved.

If the proposals for the \$200m project and the proposed public engagement process for that, are agreed, the project simply will get mired in Council process, delay, procrastination, legal challenge and confusion of goals. In any case it is unaffordable and not what the public want.

The officer report is essentially one sought by a past administration, a former Chief Executive, former mayor and former Council (2016-2019). It would appear that there have been some modifications since then.

We have now a new mayor, new Council and new Chief Executive.

I am urging them to make progress.

Recommendations

The emphasis in my recommendations is a request for urgent action by Council to fix the library in the most cost effective way and re-open it.

1. That Council instruct officers to immediately commence the “bare minimum” \$36m remediation process (See page 23, para 46 of the report).
2. That consideration be given to either gradual remediation/ repair (as in some buildings with partial occupation, or no occupation until remediation is fully completed).
3. That Council instruct officers to commence a process for any (if any) necessary immediate maintenance of building services. (Nothing was reported to be broken).
4. That the officers report back to the next Council meeting with budget, timeline, funding source(s) and progress on the remediation of Wellington Central library.
5. That the Council instruct the officers to report against the timeline, and budget to every Council meeting until re-opening.
6. That officers provide a report back on the Civic Centre maintenance plan for this year. (Note: Civic Centre has been woefully neglected for years, with the gradual deterioration of key elements) for inclusion in the Annual Plan and long term maintenance plan 2021-2031.

Funding

7. That Council instruct officers to prepare the Library remediation and funding proposal for inclusion as a late item in the Annual Plan 2020/2021. (I am disappointed that this has not yet been included in this year’s Annual Plan.)
8. That Council instruct officers to consider this remediation as a Capex item (just as the Town Hall and St James strengthening are), to lessen the immediate impact on ratepayers, with borrowing at the current low rate, spread over some years.
9. That an approach for financial assistance be made to the Prime Minister and Minister of the Arts and heritage protection, the Right Honourable Jacinda Ardern, and to the Associate Minister, and local Member of Parliament, The Honourable Grant Robertson, and to the list M.P. Nicola Willis, who resides in Wellington.
10. That an urgent submission be sent as a late submission to the Honourable David Parker to seek “shovel ready” funds, as this project meets the criteria of ready to start within six months.

Future long term maintenance, asset management and funding 2021-2031.

11. That Council instruct officers to prepare a ten year asset management plan for the library, phased, in order to attend to the building’s services, refresh, fit out, and any additional new services “modernising”, to be included for approval in the 2021-2031 long term plan.

Discussion of some issues

A number of issues in the officers' report need to be further explained.

- **Reason for closure. It was not a legal requirement for earthquake strengthening.** Earthquake strengthening or a lack of compliance with the law relating to it, was not the reason the library was closed. On investigation, the depth of the seat of the hollow core flooring was found to be a structural risk, and needed fixing.

The library was closed in March 2019 because new guidelines were issued by MBIE in November 2018, regarding precast concrete flooring. These guidelines have no status in law, and the officer report itself says, "note that these assessments should not be used to determine whether a building was earthquake prone under current legislation" P. 18 para 10.

Further, there was no damage as a result of the Kaikoura earthquake, and it was not closed because of current sea level rise.

- **Brief from the public and the Council : Remediation and reopening** Officers have gone way beyond the expected brief for remediation. It is very unclear where the instruction has come from for this vanity project and complete makeover. Who asked for

- The rebuild (for at least \$200million)
- An unnecessary public participation process based on the assumption that this \$200m project would take place
- All building services be replaced (with no evidence that they had all reached their end of life, or were broken)
- A completely new hard fitout,
- A completely new soft fitout
- A new and different service model called "modernising";
- Possible demolition
- Demolition and a new build on the same site (P.17)
- "Partnering" (meaning what?)
- The remediation being tied to the "ongoing planning" for the future of Te Ngakau Civic Square, involving the "reshaping of Te Ngakau Civic Centre...", and "the ongoing planning for the future of Te Ngakau-Civic Precinct". P. 17

All of that is and will be a diversion, delay and distraction from the current and urgent necessity for remediation and reopening of the library.

- **Proposal for Reintegration of Civic Centre buildings** Contrary to the officer's report, the Library and all buildings are considered elsewhere by the Council itself to be well integrated with Civic Square. Council's own District Plan says of Civic centre, "As one of the largest public spaces in central Wellington, it is a very popular place for gatherings and events and is widely used by

Wellingtonians and visitors alike. The important heritage values of Civic Centre lie not only in the historic buildings but also in their seamless integration into a carefully designed and interesting space.”

- **Completely Inadequate alternative central City library space.**

Today our Capital City now has no central library. It has an empty shell.

In its place today, we now have three small libraries scattered throughout the City, two of 250 sqm each and one 1400 sqm. Together they make up far less physical space-1900 square metres compared to the 17000 square metre footprint of the Civic Centre library (with approximately 10,000 square metres library space devoted to the three floors of the original sketch plan), the upper two floors and the basement utilised for other than library.

- **Local Government Act 2002 and Public engagement**

It is very unfortunate and wrong that officers of the Council should claim (P.32, para 96) that the Local Government Act 2002, consultation requirements for significant projects, has to be utilised and extensive public engagement mounted.

This statement is based on the assumption that the option of the \$200 million will be pursued plus because “capital expenditure is likely to be large and on a scale that the City has not often seen before”P. 32 para 95.

But the public want the library to be remediated without large capital expenditure.

It is not at all necessary to invoke the Act, and have the proposed wide ranging public participation (P.30 para 8) in order that the library structure be remediated and opened. If that were the case then every relatively minor maintenance issue which this is would be subject to this.

In my opinion, this is a misuse of the Local Government Act 2002 and its consultation requirements for projects of significance.

The entire public participation process is simply a very costly diversionary tactic, to delay, for at least another year, (or stop) the reopening of the Wellington public library. The people have spoken already, loudly and clearly.

- **A new build on the same site and demolition**

- **Heritage status**

Any demolition of the Athfield library building would likely face protracted expensive legal challenge as it is listed, as part of the Civic Centre precinct, on Council’s heritage list.

The entire Civic Centre precinct is listed in the District Plan as a heritage site.

Any attempt to remove the Central library from the precinct would no doubt meet with lengthy, expensive and unnecessary legal challenge. A proposal to demolish would attract that.

There is no mention of the heritage status of the Civic Centre precinct in the officer’s report. Why?

Further, on the 28th of June 2019 I sent a nomination to Heritage New Zealand (the former Historic Places Trust). I submitted, with extensive material attached, that Wellington's Civic Centre, our heart, Te Ngakau, should be accorded the highest possible level of heritage protection that New Zealand law can give it.

I said inter alia, "There is no other place or public space like it in New Zealand, or the world.

It has world class architecture of the late 80's juxtaposed with architectural styles and examples from 1902/04 through 1939, 1951, 1982, 1992, 1995. It is the civic heart of our capital city, and is highly significant, for its aesthetic, historic and heritage, archeological, architectural, cultural, recreational, social, traditional mana whenua and tangata whenua values. The story of Wellington resides in this place.

It is now even more urgent that it be given the highest possible protection, because of the sudden closure of the library, and the one million patrons a year shut out. This public asset, a warm safe welcoming community place, is a storehouse of knowledge, with a range of activities- books, all manner of research functions plus information technology, The threat of the library's demolition, the mayor's ambivalence to that, the Chief Executive's apparent indifference, at least one developer's wish to see it demolished, the Chamber of Commerce's comments "Civic Square is prime real estate", all fly in the face of massive public concern. Our Civic Centre is not "prime real estate". It is a public amenity of high significance and importance. Even the Council has placed this heritage area, on its list of strategic assets."

Another person has nominated the library as well.

- **Partnering**

Partnering is proposed but not explained. With whom? In what way ? Why? To do what?

Have developers put forward proposals or had discussions with Council officers, the mayor or councillors? If so, they should be disclosed upfront.

- **Funding**

"Shovel ready" Projects

Central government recently called for lists of "shovel ready projects" to stimulate the economy and the construction industry which if approved, would then receive Government funding.

I was extremely disappointed to notice that the library remediation was not included in Council's list of "shovel ready projects". Even the second list '12-18 months ready" that although it included the Civic Centre precinct (detail publicly unknown), it did not specifically include the library.

Council needs to pursue this possible central government funding with urgency.

Why was it left out?

- **Public Participation to date.**

Many many people have commented over and over in the past year.

It is very clear what they want-they want the library remediated and opened without further delay or procrastination.

- Adam Thornton, Structural Engineer at the July 2019 public meeting which I attended said that the library could be fixed with early re-entry in two months.
- Gordon Moller, one of the team of architects (along with Ian Athfield and Maurice Tebbs), which I as chair of the Civic Centre project appointed said at that July 2019 meeting, "The library isn't damaged, it could be fixed."
- Lindsay Shelton Editor of Scoop has challenged the Council, " ...Saving the library if you had the will to do it" quoting Adam Thornton.
- Redmer Yska Wellington writer and historian has said, "Save our library".
- Peter (Citizen) "Do the bare minimum on the Central Library building to get it open again (\$33 million....) "
- Wendy (Citizen) "A whole year has been wasted thinking up expensive changes and additions when all we want is our library back. Just listen to the public, strengthen the building, open the library and worry about expensive changes in the future when the city is in a position to afford them.
- Roger Walker, Architect ".....We'd understood a simple solution was to increase the seating depth of the hollow core flooring by bolting steel angles to the primary beams...Let's be pragmatic for the sake of getting it operating again".

Dame Fiona Kidman, celebrated Wellington author writing on Scoop said,
" Libraries date back to the 7th century B.C. They are an essential part of cultural life, the first point of reference for readers and researchers, throughout the world. Many capital cities have fine and beautiful built for purpose libraries. Wellington has one too, although it is not in use..... "Without access.... we are reduced to being a shabby little town without a heart. Is this really what WCC wants? It is not what I want. I want whatever work needs to be done undertaken with alacrity and our library re-opened and restored to us."

The people have spoken already.

It is the clear and expressed wish of so many of the Wellington public, that the Athfield building and library housed in it and in the Civic Centre heritage precinct be immediately fixed in the most cost effective way, and reopened at the earliest possible time.

I urge the Council to do so. Now.

Helene Ritchie

Former deputy mayor

Former chair of the Civic Centre project, which aimed to build and preserve the city's civic heart, the juxtaposing of saved heritage buildings with new buildings, the library, an open civic square, and unique pedestrian link to the harbour

Member New Zealand Society of Authors.

I am sending you this letter in advance of the Council meeting, and am looking forward to being able to participate as a member of the public.

You are welcome to contact me before the meeting.



COUNCIL MEETING - CRF

27 MAY 2020

WHO IS KAPURA?:



900
employees



25M p.a.
in salaries



23M p.a.
spent with
local suppliers



20M
spent on construction
projects over the
last 15 years



2M
spent on tech
in the last 2 years



750K p.a.
directly into our local
Schools, community
Groups & clubs



2.8M p.a.
in gaming grants
to Wellington
recipients



2016 8th
2017 6th
2018 4th
2019 2nd

One of only two companies
in New Zealand to
make the masters category
for 4 years in a row

World Record Holders for the
fastest implementation of
SAP @ 28 days. Done by
100% kiwi project team in
Wellington



MAJOR OR KEY SPONSORS OF:



LOCKDOWN HELP

IN THE LAST 8 WEEKS, WE HAVE BEEN HELPING MSD TO FEED VULNERABLE WELLINGTONIAN'S



9000
RECIPIENTS



430
PEOPLE WITH DIETARY REQUIREMENTS



335
EMERGENCY ORDERS DELIVERED SAME DAY



39,145
BOXES DELIVERED



219,596
MEALS DELIVERED



16,161
GROCERY BOXES DELIVERED WITHIN 48 HOURS



27,271 KMS
TRAVELED IN 7 DELIVERY VANS



22,984
FROZEN MEAL BOXES DELIVERED WITHIN 48 HOURS



8,983
HOME DELIVERIES

WHAT'S HAPPENING?

The majority of job losses will happen regardless of what you do with the CRF.

- Airline
- Tourism
- Hospitality
- Retail
- Corporate recessionary behaviour



YOU CANNOT FIX THESE.

Central Govt needs to soften that blow and they will also create some more jobs.
Local Govt can help with the medium to long term recovery.

WHAT'S WELLINGTON GOT GOING FOR IT?

- We have a public sector who will grow
- We have always had lower unemployment in a recession
- We aren't as exposed to the international tourist dollar @4% of retail spend (our business is 9% of revenue)
- We had and will have the busiest domestic hub in the country
- We have the most cosmopolitan and compact city
- We are still the cultural capital
- Creative and Tech base
- Specialist business areas like Film Industry
- We have a healthy sports sector

WHAT'S THE COMPETITION DOING?

- **Christchurch** still fragmented and doesn't have a CBD or infrastructure
- **Dunedin** will find itself isolated in post covid world with lack of airline support
- **Auckland** has recessions which have deeper trough's than Wellington so they will have a bigger battle fighting job losses, aka distracted
- **Hamilton** who cares, they can have the 7's and field days.

What it took the competition **10 years to do** (to erode into our event capital name) we could **reclaim in 18 months**. This **opportunity** does not present itself very often.

WHAT DO BUSINESSES NEED FOR JOBS?



CONFIDENCE –

No one invests where there isn't confidence. We should be the most confident because we always get through recessions better than our competitors. Lets ram that advantage home.

ATTITUDE –

Make it happen. "One team" messaging & alignment, don't be afraid of failure, accept the mistakes and move on with the learning.

MARKET SHARE DRIVEN –

When the market gets smaller you need more of it (recessions are about gaining market share)

OPEN FOR BUSINESS –

In all forms, work to the grey area if you have to, say yes then work out how to do it

FOCUSSED GOALS & OUTCOMES –

Penetrate and invest deeper into our key advantage areas. Double down on what works, win the event space battle.

BE EASY TO DEAL WITH –

With all of your customers, your rate payers, your internal and external stakeholders. WellingtonNZ, Airports, Stadiums,

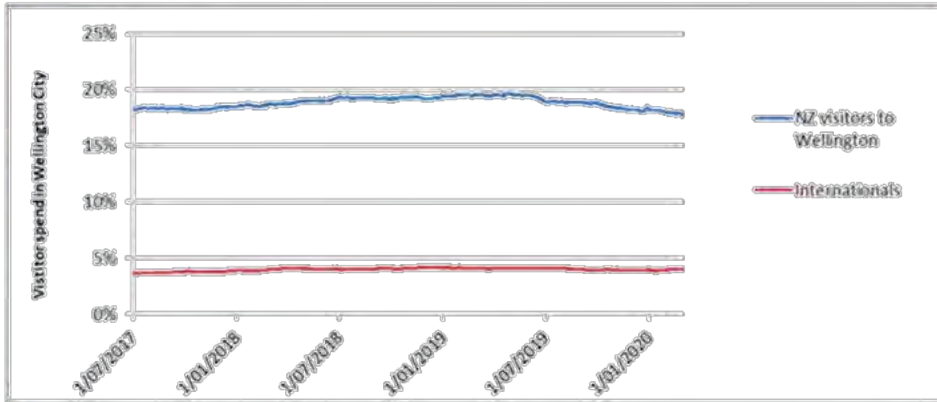
WHAT'S THE PLAN?

WHAT ARE WE GOING TO BE FAMOUS FOR (MARKET SHARE):

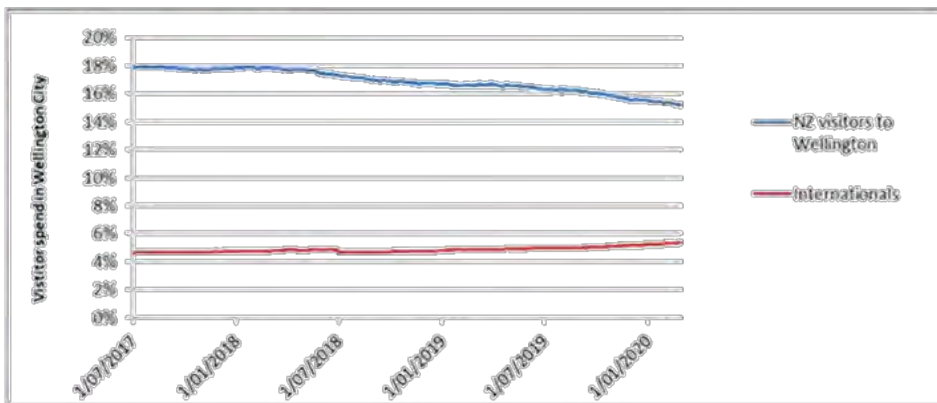
- **EVENTS**
- **FILM INDUSTRY**
- **COSMOPOLITAN**
- **CULTURE**
- **SPORT**
- **TECH AND INNOVATION**
- **WE SHOULD BE THE CHAMPIONS OF THE "3 DAY STAY"**

TREND OF DOMESTIC & INTERNATIONAL SPEND

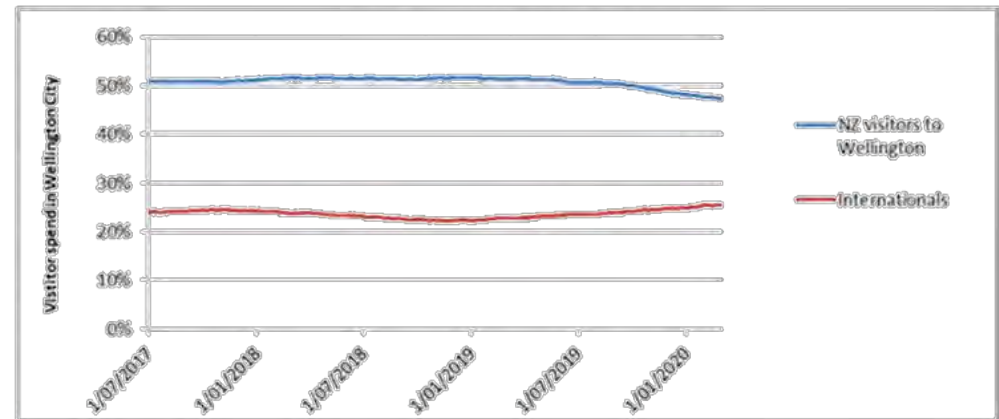
ALL OF RETAIL



HOSPITALITY



ACCOMMODATION



FOCUSSED GOALS & OUTCOMES

We have had declining domestic spend as a trend with slightly growing international spend. We have some work to do to maintain this share in a smaller spending market. Government will help with business travel. We need Local to support leisure and business.

Source Data: Wellington City Council

WHERE SHOULD CRF FOCUS BE?

1/ **Reclaim** our events capital name

2/ Do it with **impact**:

- Limit the small grants. Big thinking required not splitting hairs.
- More into Less

3/ **Grab** all of the event space (while the competition are distracted)

4/ Backup the **investment** you have made in the last 3 years.

- Queen and Eminem meant Live Nation and Frontier were looking at booking concerts here in January 2021. They haven't talked to us for 5 years!
- Live Nation already talking to WellingtonNZ.
- ICC Cricket

5/ Change the ROI so it is **Market Share** driven

6/ Get some **attitude** and confidence flowing. In a recession people believe the narrative. Lets create a different narrative:

We know we do better in a recession, we are going to invest and be positive, come and talk to us...

QUESTIONS?



Expedited process and timeline for decision making around the Central Library

Introduction

This document presents further officer advice, post Councillor and public feedback with respect to the timeline and process aspects of the Central Library project.

Please note that this information should be considered in addition to the report put forward for the 27th May Council agenda. It also outlines the reasoning for a set of updated officer recommendations contained in that report.

This document

- Provides detail on an expedited decision making process, including consideration of community views and other legal requirements under the Local Government Act.
- Outlines an approach to funding, including an allocation of CAPEX funding in the 2020-21 Annual Plan, to undertake further structural and building services design work in, parallel with the decision making process, to enable the speeding up of overall project timelines.

Background to this document

Following discussion with Councillors regarding the paper “Wellington Central Library building and service update and building remediation options”, put forward as part of the Council meeting agenda on the 27th May, officers have undertaken further work to devise a revised process to expedite decision making around the options for accommodating the Central Library, with a goal of reducing the overall timeframes for the project. In devising the proposed process, officers have worked closely with specialist legal advisors. They are of the opinion that the proposed process is robust and defensible, and meets the requirements of the Act. They also support the officers view that an LTP amendment would not add any further benefit, over what is now being recommended given that robust and detailed costings are not yet available for such amendment. Given that the Special Consultative process will be undertaken early on the options and a Council decision made on its preferred option, the 2021 -2031 LTP will primarily focus on ensuring funding is provided in the 2022 financial year and beyond to deliver the agreed project. In generating this revised process, officers have kept in mind the following considerations:

- A desire from councillors and the community to expedite a decision on the Central Library building, (including the accommodation of central library services), and undertake the required construction work as soon as is possible.
- The legal requirements set out in the Local Government Act 2002 as to the process that must be undertaken when making a major decision such as this.

- The demands and phasing requirements of the design, procurement and construction elements of the project, regardless of what building option is chosen.

Discussion of considerations in preparing this revised process

Council's legal requirement for decision making under the Local Government Act

The Local Government Act 2002 clearly lays out requirements for making major decisions such as a solution to accommodate central library services. While this document doesn't form a full briefing on these requirements, it outlines the key requirements.

The decision to be made here is a significant one in the minds of the community. A preliminary assessment of the decisions being faced against WCC's Significance and Engagement Policy, finds that the policy is triggered on a number of criteria.

The Local Government Act 2002, and surrounding case law establishes clear requirements for how a major decision such as the strengthening or rebuild of the central library must be undertaken. The key elements of these requirements are as follows:

- *Consideration of all practicable options:* all reasonable options for the accommodation of central library services must be considered.
- *Take in community views:* Thorough community engagement and consultation must occur, and Council must take into account these views when making a decision. Officers are recommending this occurs through an early Special Consultative Procedure
- *Budget allocation:* Allocation of the substantive capital budget (over a number of years), must be made via the Long Term Plan process, or an amendment thereof.

Each of these requirements have their own specific detail, and WCC has been undertaking these processes successfully for a number of years. In addition, there is a large amount of sector best practice, legal opinion, case law and surrounding precedents that have established clearly what good adherence to the principles and processes in the Act means.

There have been several cases of Councils being found wanting in applying these processes and a number have found their way into the courts (through judicial review), resulting in the challenging of, and in some cases, overturning the original council decisions.

The decision Council faces around the central library building is an important one with long term implications, and it will be of high community interest, regardless of what option is finally decided. It is the view of officers and their specialist legal advisors that a close adherence to the Act in making this decision is vitally important, and there is significant risk of legal challenge if this is not the case.

Resuming central library services as soon as is possible

Advancing design work

Regardless of the option eventually chosen to house Central Library services, there is considerable work that needs to be undertaken before construction can commence.

In order to better understand the benefits/risks and detailed costs of any of the building remediation, service upgrade and refurbishment schemes, it is necessary to have (as a minimum) developed design for each work package.

Currently, we have concept structural designs for three potential remediation schemes and a condition assessment for the building services, however we have no concept design or even scope for any potential refurbishment of the building.

This includes high level design and costings, as well as detailed design with regard to structural, architectural and building services elements. The design process is a major contributor to the represents the 'critical path' for this project, in that it is time intensive and without it, the next phases of the project cannot commence.

The proposed process brings forward several streams of work, relating to the design that can be applied across several construction scenarios for the current library building. This design work will mean that once a decision is made on the building solution, the project will be sufficiently advanced as to reduce the overall project timeframe by between six to nine months from what was set out in the officers report to Council.

It must be noted that this work, applied to the current library building, does not presuppose any particular outcomes from the public engagement or decision making process. If an accommodation solution is chosen that does not involve the current building, most of this design work will not be applicable. However, in the opinion of officers, advancing the design work at this time represents a marginal cost risk with respect to the entire project and the potential upside will speed up overall project timeframes if the current building is retained in some form.

As such, one of the updated officer recommendations is that \$2m CAPEX be included in the 2020-21 Annual Plan to advance this work, to be undertaken in parallel with the Special Consultative Procedure and decision making process.

Bringing forward community consultation and the final decision on a building solution

Officers have refined their thinking around the phasing of community engagement and consultation. We propose that community consultation, under Section 83 of the Local Government Act 2002 is brought forward and this include the proposed community engagement phase of the project.

The Special Consultative Procedure has explicit procedural requirements around the statement of proposal and summary of information, clear timeframes and the expectation of formal hearings. The engagement process outlined in the main paper, will be incorporated into one process.

The effect of bringing forward this phase of the project means that a final decision on the building solution can be made sooner (in late 2020) while still being legally compliant with the Act.

Making a decision sooner on the specific building solution means that further design, procurement and construction work can be advanced sooner.

Under this scenario, the CAPEX budget required to complete the construction of the building will still need to be assigned, and this is appropriate as part of the long term plan process. Assigning this budget as part of this process (as opposed to some other mechanism such as an LTP amendment) has no effect on overall project timeframes.

Accordingly, officers recommend that Council requests the preparation of a Statement of Proposal for Council adoption, followed by public consultation using the special consultative procedure (S83 LGA). The purpose is to outline the reasonably practicable options, their advantages and disadvantages of each, high level indicative costs and the Council's preferred option(s). An officer amendment has been included to reflect this.

The option of an LTP amendment

Officers have considered closely whether an LTP amendment will speed up the overall project more than this proposed process. When considering this option, what must be kept in mind is that the LTP in this scenario is primarily concerned with assigning CAPEX budget. It does not act, as it usually does, as the vehicle for a deciding between building options or considering the views of the community, as these activities will be undertaken in 2020, ahead of the LTP. As such, amending the current LTP has no effect on the overall speed of the project, and will most likely cause confusion in the public mind. An LTP amendment is also time and cost intensive, and will divert officer resources away from other key pieces of work, including the preparation of the 2021-2031 Long Term Plan.

Further legal advice we have received has indicated that the Council is not currently sufficiently informed about community preferences or about the relative costs and risks of the options to embark on an LTP amendment at this stage.

The Proposed Process

Figure 1 below outlines the proposed process and shows indicative timelines.

Figure 1: Proposed expedited pathway for Central Library

