

Rebecca Watson

From: official information
Sent: Wednesday, 27 February 2019 15:41
To: [REDACTED]
Cc: official information
Subject: RE: LGOIMA 19034 - HCC Underground carpark building Anglesea St/ Worley Place/ Ward St
Attachments: Council Report - City Heart - Garden Place Underground Car Park Report - 1-6-2011.pdf; Minutes Open - Extra Council (Annual Plan) - 2-6-2011.pdf

Good morning,

Further to your information request of 19 February 2019 in respect of the minutes relating to Hamilton City Councils underground carpark building Anglesea St/ Worley Place/ Ward St, I am now able to provide Hamilton City Council's response.

You requested:

Please provide the minute and voting of Councillor decision to both sell the underground car park building, the purchase back and the decision to change the entrance way from Worley Pl to Anglesea St.

Our response:

The strategic Property Unit has supplied the following response.

The Garden Place Underground Carpark (a.k.a the Downtown Plaza Carpark) was sold by the Council on 7 August 1998. The Council would have resolved to sell the carpark at a meeting prior to that date. Strategic Property has no record of the date of that meeting or the resolution to sell.

The decision to buy the Garden Place Underground Carpark (a.k.a the Downtown Plaza Carpark) was made by the Council at a meeting on 19 August 2009 in response to the recommendations contained in the staff report "Downtown Plaza Carpark – Acquisition and Disposal Options – Confidential". The item was Public Excluded. We have determined that the minutes and voting outcome of the public excluded sessions of these Council meetings will not be released to maintain the effective conduct of public affairs through the free and frank expression of opinions (section 7(2)(f)(i) LGOIMA). We consider that the factors supporting the withholding of this information outweigh public interest factors favouring its release.

The decision to change the entranceway to the Garden Place Underground Carpark was made by the Council at a meeting on 1 and 2 June 2011 in response to the recommendations contained in the staff report "Cityheart – Garden Place Underground Carpark". Attached is the report and related minutes.

You have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

For your information the Ombudsman's contact details are:

Email - info@ombudsman.parliament.govt.nz

Post - PO Box 10152, Wellington 6143

Telephone - 0800 802 602

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz

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From: official information**Sent:** Thursday, 21 February 2019 8:04 AM**To:** [REDACTED]**Cc:** official information <officialinformation@hcc.govt.nz>**Subject:** RE: LGOIMA 19034 - HCC Underground carpark building Anglesea St/ Worley Place/ Ward St

Good morning,

I write to acknowledge your information request of 19 February 2019 in respect of the minutes relating to Hamilton City Councils underground carpark building Anglesea St/ Worley Place/ Ward St.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information or not "as soon as reasonably practicable", no later than 20 working days after the day we received your request. We will respond to you no later than 19 March 2019.

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz

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From: [REDACTED]**Sent:** Tuesday, 19 February 2019 1:32 PM**To:** official information <officialinformation@hcc.govt.nz>**Subject:** RE: LGOIMA 18280: HCC Underground carpark building Anglesea St/ Worley Place/ Ward St

Good afternoon, Please provide the minute and voting of Councillor decision to both sell the underground car park building, the purchase back and the decision to change the entrance way from Worley Pl to Anglesea St. Thanks

Kind Regards



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From: official information [<mailto:officialinformation@hcc.govt.nz>]
Sent: Monday, 21 January 2019 8:59 AM
To: [Redacted]
Cc: official information
Subject: RE: LGOIMA 18280: HCC Underground carpark building Anglesea St/ Worley Place/ Ward St

Good Morning,

Further to your information request of 14 December 2018, in respect of HCC Underground carpark building Anglesea St/ Worley Place/ Ward St, I am now able to provide Hamilton City Council's response.

You requested:

HCC Underground carpark building Anglesea St/ Worley Place/ Ward St

Could you please provide the total cost to HCC for the relocation of the entrance way to the underground car park building from Worley/ Alexandra St to Anglesea St, which to place within the last 10 years. Please include all cost including demolition of the stairs/ platform outside HCC chambers that were required to be demolished so give a through road to link Worley Place to Alexandra St.

Our response:

In conjunction with the work undertaken in Garden Place 2010/11 (refer to LGOIMA 18269), work was also undertaken to remove the Peace Wall structure, close the Alexandra Street access to the Garden Place Car Park and reconfigure the existing Anglesea Street entrance/exit to the carpark. This work was completed in 2011/12. The initial project estimate was \$3,000,000. The final outturn cost was \$2,559,122.59.

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



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attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.

From: official information
Sent: Tuesday, 18 December 2018 11:33 AM
To: [REDACTED]
Cc: official information <officialinformation@hcc.govt.nz>
Subject: RE: LGOIMA 18280: HCC Underground carpark building Anglesea St/ Worley Place/ Ward St

Dear [REDACTED]

I write to acknowledge your information request of 14 December 2018 in respect of the below.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information or not "as soon as reasonably practicable", no later than 20 working days after the day we received your request. We will respond to you no later than 4 February 2019.

Please note, the three weeks between Christmas Day and 15 January 2019 do not count as working days as per the Ombudsman guidelines. More information on this can be found here: <http://www.ombudsman.parliament.nz/>.

Kind regards

Rebecca Watson
On behalf of the Privacy Officer

DDI: 07 8386983 | Email: rebecca.watson@hcc.govt.nz



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From: [REDACTED]
Sent: Friday, 14 December 2018 9:54 AM
To: official information <officialinformation@hcc.govt.nz>
Subject: HCC Underground carpark building Anglesea St/ Worley Place/ Ward St

Could you please provide the total cost to HCC for the relocation of the entrance way to the underground car park building from Worley/ Alexandra St to Anglesea St, which to place within the last 10 years. Please include all cost including demolition of the stairs/ platform outside HCC chambers that were required to be demolished so give a through road to link Worley Place to Alexandra St.

Kind Regards

[Redacted]

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To: Chief Executive Officer
From: General Manager Works & Services
Subject: **City Heart; Garden Place Underground Car Park**
Meeting Date: 1-2 June 2011 File Reference: -

1.0 Executive Summary

1.1 Purpose of the Report

1.1.1 This report to Council is to seek approval to a Target Outturn Cost (TOC) for the stage 3 Garden Place Car Park and for an increase to the TOC for the stage 1 Victoria/Ward Street works to reflect previous decisions of Council both of which form part of the CityHeart Revitalisation Programme of works.

1.2 Summary of Key Points

- 1.2.1 These works will be undertaken as part of the CityHeart Partnering Agreement with Downer and Reset Urban Design which was approved by Council in October 2008.
- 1.2.2 The works have been substantially completed for the stage 1 Victoria/Ward Street works (excepting Ward Street east upgrade) and in accordance with previous reports to council, approval is sought to increase the approved TOC to reflect the decisions that have been made.
- 1.2.3 A detailed design has been developed for the stage 3 Garden Place Car Park works with input from internal and external stakeholders, resource and building consents have now been granted for the work and it is ready to proceed to construction.
- 1.2.4 A TOC of \$2,998,669.40 has been produced from the designs which falls within revised budgeted funding for this package of work as reported to City Planning and Development Committee and has been agreed by the Project Team Partners.
- 1.2.5 A Contingency of \$500,000 has been determined for risk related and unforeseen work, some of which will be Contractor risk under the alliance type contract model used.

1.3 Recommendation

It is recommended that

- 1.3.1 Council agree to increase the Target Outturn Cost for Stage 1 of CityHeart consisting of the Victoria and Ward Street works by \$1,051,000 from the current approved TOC of \$6,753,000 to \$7,804,000.

- 1.3.2 The stage 3 Garden Place car park works be awarded to the Reset Design Ltd/Downer EDi Works consortium in accordance with the CityHeart Partnering Agreement and that a Target Outturn Cost of \$2,998,669.40 is approved, noting that a contingency sum in addition to this has been set aside in the budgets to manage risk and unforeseen items.

1.4 Attachments

- 1.4.1 Attachment 1; Financial report to City Planning and Development

2.0 Background

2.1 Stage 1- Victoria/Ward Street Works

- 2.1.1 At the Contracts Subcommittee meeting of 28 October 2008, the Subcommittee approved the engagement of a consortium, Reset Urban Design Ltd/Downer Edi Works, to deliver the nominated stage 1 works for CityHeart, subject to a Target Outturn Cost not exceeding \$6,253,000 which was increased to \$6,753,000 at the Contracts Subcommittee meeting of 26 May 2009.
- 2.1.2 The contract model chosen for the programme of works is an alliance type contract which incentivises the parties to work together to keep the costs down and to share the pain/gain of any cost differences against agreed estimates. This approach allows flexibility and is ideal for managing a programme of projects, such as the CityHeart programme, that are not clearly defined at the time of entering into the contract.
- 2.1.3 The stage 1 works included the Victoria and Ward Street works, or **package 1** as referred to in the recent reports to the City Planning and Development Committee.
- 2.1.4 Subsequent to the last TOC approval, there were a number of ongoing Council meetings to discuss the scope of the Victoria Street works, and various decisions were made to increase the scope (such as the raised road crossing in front of Bank Of New Zealand). The result of these decisions and general cost increases was to increase the forecast Outturn cost to \$7,804,000, an increase of \$1,051,000. This has all been reported through the City Planning and Development meeting and Council agreement has been reached to manage this within the overall Project budget of \$16,500,000.
- 2.1.5 Council was advised in its meeting of 18 February 2011 that under the pain/gain share arrangements of the contract, that the contractor was required to share the pain of some of the cost over runs and that Councils additional cost for the stage 1 works would be limited to \$500,000, provided that the remaining elements of the overall project are instructed under the contract.
- 2.1.6 Retrospective approval is sought to increase the Target Outturn Cost for stage 1 by \$1,051,000 from \$6,753,000 to \$7,804,000 (which includes the contractor's share of Risk).

2.2 Stage 2- O'Neill Street, Garden Place and Civic Square

- 2.2.1 Also at the Contracts Subcommittee meeting of 28 October 2008, the Subcommittee approved the award of the stage 2 CityHeart works to the incumbent consortium with the TOC being capped at \$5,677,378 and noting that a final TOC will be negotiated once designs for all elements were approved.

- 2.2.2 The stage 2 works include the **package 2** works (Garden Place/Civic Square- \$3,700) and the O'Neill Street part of the **package 4** works as referred to in the recent reports to the City Planning and Development Committee (Attachment 1).
- 2.2.3 As events transpired, the O'Neill Street works were put on hold following the opportunity to work with Kiwi Properties to develop Ward Street and it has not yet been possible to finalise the Scope of the Ward Street east works nor the O'Neill street works and hence the final TOC for Stage 2. In saying this however, the Garden Place/Civic Square works have progressed well and Staff have reported that the work is on track to be delivered within the \$3,700,000 set aside within the currently agreed stage 2 TOC.
- 2.2.4 Prior to the opportunity to work with Kiwi, cost was incurred in developing O'Neill, Sonning and Claudelands concept plans but these plans were put on hold and the overall scope and budget scaled down for these elements to allow the overall CityHeart programme to be rescoped to allow for alignment with the Kiwi proposals.
- 2.2.5 The project team has reported to City Planning and Development that they intend to clarify and agree the revised scope of the **package 4** O'Neill and Claudelands Bridge work with Council and to then seek approval for a revised Stage 2 TOC by the end of June 2011. At this time the already incurred costs on O'Neill Street will need to be taken into account, along with the other cost pressures that are being reported to City Planning and Development Committee.

2.3 Stage 3- Garden Place Car Park

- 2.3.1 The third and final stage of contract works (at this time unless Council decides to add other projects) proposed to be awarded to the incumbent consortium is that relating to package 3 to relocate the Garden Place car park entrance. Originally it was intended to seek an increased TOC and undertake this under the stage 2 contract works but for clarity and increased transparency and given that the works can be regarded as discrete from Stage 2, it has been decided to seek approval for the works on its own as a separate contract stage.
- 2.3.2 At an extraordinary Council meeting on 11 December 2009, Council approved a budget of \$2,400,000 to construct a signalised "T" intersection on Anglesea Street in order to close down the Alexander Street car park entrance and to relocate it to Anglesea Street. Council also resolved to commence construction works once the CityHeart design of Garden Place was agreed.
- 2.3.3 Since that time the CityHeart project team have progressed the design and secured the necessary resource and building consents to enable the relocation.
- 2.3.4 During the design development a number of previously unidentified risks were discovered and this has resulted in a need to increase the budget to undertake the relocation works.
- 2.3.5 This increased budget requirement was reported to Council in its 18 February 2011 meeting with a request for Council to reconfirm whether all of the capital projects not contractually committed were still seen as a priority. Council reconfirmed the car park entrance relocation at the higher cost and resolved to confirm an overall budget of \$16,500,000 for the overall CityHeart programme of works with a scaled down scope to be agreed for the Claudelands/O,Neill Street pedestrian link.
- 2.3.6 Within the reporting to City Planning and Development the estimated outturn cost for the car park has been identified as \$3,000,000 together with a contingency if required of \$500,000.

2.4 Stage 3- Target Outturn Cost

- 2.4.1 A target Outturn cost of \$2,998,669.40 has been agreed by the Project Team Partners.
- 2.4.2 In addition to the TOC a contingency for risk items (\$300,000) and unforeseen items (\$200,000) has been set at \$500,000. If the risk items eventuate and the outturn cost exceeds the TOC, then under the terms of this contract the additional cost ("pain") will be shared between the parties. This means that the Council share of the contingency amount could be \$350,000 as reported to City Planning and Development Committee.

3.0 Discussions

- 3.1 Since 2008 Council has made a number of decisions that support the recommendation to relocate the public entrance to the Garden Place car park entrance. This relocation allows the public to have more direct access to a major city centre car park which is seen as very important by major retailing interests in the central city. It also enables the construction of the shared space lane between Worley Place and Alexandra Street which has traffic circulation and active surveillance benefits for the precinct.

4.0 Financial Implications

- 4.1 The TOC for this work falls within the allocated funds of \$16,500,000 for the CityHeart programme of work as reported to City Planning and Development Committee.

5.0 Conclusion & Reasons

- 5.1 Approve the TOC at \$2,998,669.40. The TOC comes within the allocated funds for this package of works and has been approved by the Project Team Partners.

Barry Easton

Manager, Programme Management Office.

Chris Allen

Chair, CityHeart Project Control Group.

<p>1. Consistency with existing policy <i>The recommendation in the attached report are consistent with Council policies for Economic Development.</i></p>
<p>2. Consultation</p> <p>a) General Consultation <i>Council is not required to consult any further on this matter.</i></p> <p>b) Consultation with Maori <i>No targeted consultation has been undertaken for this report</i></p>
<p>3. Decision-Making <i>This decision does not trigger Council's Significance Policy</i></p>
<p>4. Legal implications <i>No specific legal advice has been received for this report</i></p>
<p>5. LTCCP/Annual Plan reference and long term financial impact <i>All budgeted costs.</i></p>
<p>6. Reporting Officer/Contact <i>Jason Harrison- City Heart Project Manager</i></p>
<p>7. Strategic Fit —</p> <p>A. City Strategic Framework <i>(select Strategy that the report primarily relates to from the drop down menu and to discuss how it contributes if necessary)</i></p> <ul style="list-style-type: none">▪ <i>Economic development</i> <p>B. Community Outcomes</p> <ul style="list-style-type: none">▪ <i>Sustainable and well-planned</i>▪ <i>Intelligent and Progressive City</i>▪ <i>Working Together</i>
<p>8. Treaty of Waitangi considerations <i>This report has no Treaty implications.</i></p>

Minutes of an
Extraordinary Meeting of Council - OPEN

Time and date: 9.00am, Thursday, 2 June 2011.

Venue: Council Chamber, Council Building, Garden Place, Hamilton.

Her Worship the Mayor Ms J M Hardaker (Chairperson)

Councillors D L Bell
P A Bos
G D Chesterman
M H Forsyth
M O Gallagher
J R Gower
R E Hennebry
D G Macpherson
P M Mahood
M J Westphal
E A D Wilson

In Attendance: Chief Executive, Deputy Chief Executive, General Manager City Planning & Environmental Services, General Manager Public Affairs, General Manager Works & Services, CityHeart Project Manager, Property Management Unit Manager, Property Portfolio Manager, Project Manager and Property Officer.

Committee Advisors: Mr A J Dick & Ms F M Yates

Apology: Councillor O'Leary

Resolved: (Crs Wilson/Mahood)
That the apology be accepted.

1. Confirmation of the Agenda

Resolved: (Her Worship the Mayor/Cr Chesterman)
That the agenda be confirmed

2. Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987

Resolved: (Her Worship the Mayor/Cr Hennebry)

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter.	Ground(s) under section 48 (1) for the passing of this resolution
1. Centreplace Precinct	<ul style="list-style-type: none">) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987 	Section 48 (1) (a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

Items 1	To enable Council to carry out negotiations	Section 7 (2) (i)
	To prevent the disclosure or use of official information for improper gain or improper advantage.	Section 7 (2) (j)

The meeting returned to being open to members of the public at 4.05pm.

3. 13/16. CityHeart Garden Place Underground Carpark

The Extraordinary Council to consider a report from the General Manager Works & Services concerning the above.

Motion:

(Crs Gallagher/Macpherson)

That:

- a) the report as circulated be received,
- b) Council agree to increase the Target Outturn Cost (TOC) for Stage 1 of CityHeart consisting of the Victoria and Ward Street works by \$1,051,000 from the current approved TOC of \$6,753,000 to \$7,804,000, and
- c) the Stage 3 Garden Place car park works be awarded to the Reset Design Ltd/Downer EDi Works consortium in accordance with the CityHeart Partnering Agreement and that a Target Outturn Cost of \$2,998,669.40 is approved, noting that a contingency sum in addition to this has been set aside in the budgets to manage risk and unforeseen items.

Those for the Motion: Her Worship the Mayor, Councillors Bell, Bos, Chesterman, Forsyth, Gallagher, Gower, Hennebry, Macpherson, Mahood and Westphal.

Those against the Motion: Councillor Wilson.

The Motion was declared carried.

The Extraordinary meeting was declared closed at 4.45pm.