

MINUTES OF THE EXTRAORDINARY COUNCIL MEETING OF THE GREY DISTRICT COUNCIL**Held in Council Chambers, 105 Tainui Street, Greymouth****on Thursday 11 July 2024 commencing at 3.:00 pm**

PRESENT: Mayor Tania Gibson (Chair)
Councillor Allan Gibson (Deputy Mayor), Councillor Peter Davy, Councillor Rex MacDonald, Councillor Robert Mallinson, Councillor Tim Mora (via Zoom), Councillor Jack O'Connor,

IN ATTENDANCE: Paul Pretorius (Acting Chief Executive), Aaron Haymes (Group Manager Operations), Neil Engelbrecht (Finance Manager), Kurtis Perrin-Smith (Utilities & Infrastructure Manager), Megan Bourke (Communications Officer), Trish Jellyman (Democracy Advisor), The Media

1 APOLOGIES AND DECLARATIONS OF INTEREST

1.1 APOLOGIES

APOLOGIES

RESOLUTION SCM 24/07/012

Moved: Mayor Tania Gibson

Seconded: Cr Robert Mallinson

That the apologies received from Cr Kate Kennedy and Cr John Canning be accepted and leave of absence granted.

Carried Unanimously

1.2 UPDATES TO THE INTERESTS REGISTER

There were no updates to the Interest Register.

1.3 IDENTIFY ANY CONFLICTS OF INTERESTS IN THE AGENDA

There were no declarations of interest.

2 LIST OF ACRONYMS USED

3 AGENDA ITEMS

3.1 LIBRARY BUILDING - OUTCOME OF PUBLIC CONSULTATION AND FINAL COMMITMENT (OR OTHERWISE) TO GO AHEAD

Her Worship welcomed submitters to the meeting.

She stated that the building of a new library is one of the biggest projects this Council may undertake. She acknowledged that amount of work that has already been done to get to this point. She stated that there are seven submissions in favour and seven against (one submission was inconclusive). Four submitters will be speaking to their submissions.

Her Worship stated with the additional funding received from DWC and Kanoa the project has grown into a joint venture and has opened up large opportunities for development in the CBD.

She stated that there is some misunderstanding within the comments of some submissions regarding the Three Waters and Kanoa funding that was supposed to be allocated to Three Waters, but this funding was for social outcomes in communities as it was expected that Three Waters would be taken away from Councils. She stated that Council is well aware of the significance of the library project on communities and the pressures that the current facility is under. However Council will not formally commit to the project until such time that the submissions are objectively considered and determined.

She reiterated that this consultation is around the creation of a CCO, as the library was consulted on via the LTP. She stated that there will be further consultation, depending on the outcome of this meeting today's decision, on what the library will contain. The Project Manager has been working extensively on this with library staff and they have looked at new libraries that have been recently built around the country. They have considered the Sue Sutherland report from 2020.

She stated that the project is not a library in modern terms but is a community hub and space for different activities in the community.

MOTION

Moved: Mayor Tania Gibson

Seconded: Cr Robert Mallinson

That Council:

1. Receives this report.

Carried Unanimously

Her Worship thanked submitters for taking the time to submit, both those in favour and those submitters not in favour.

SUBMITTER NO: 1 – ANNETTE HAILE

Mrs Haile is not in favour of the formation of a CCO to build the Library.

Cr O'Connor commented that there has been a good amount of interest in tenancies opportunities for the new library.

Moved: Mayor Tania Gibson

Seconded: Cr Jack O'Connor

1. That Mrs Haile be thanked for her submission.
2. That Mrs Haile be advised that:
 - a) The proposal as circulated endeavoured to provide as much as possible information on the commercial operation.

- b) Indications are that the bottom floor commercial spaces are in high demand and Council is satisfied that it will be occupied.
- c) The income from the CCO from rentals on the two floors is by no means significant and certainly not enough to fund the construction of a new library.

Carried Unanimously

SUBMITTER NO: 2 – SAM HARTWIG

Mr Hartwig is in favour of the formation of a CCO to build the Library.

Cr O'Connor stated this building will not cater for everyone needs but overall it will cater for most needs.

Moved: Cr Allan Gibson

Seconded: Cr Peter Davy

1. That Mr Hartwig be thanked for his submission.
2. He be advised that whilst the final layout of the library floor is yet to be finalised, indications are that a small museum area will be involved.

Carried Unanimously

SUBMITTER NO: 3 – ANDREW CROOK - First Speaker

Mr Crook spoke to his submission. He is in favour of the formation of a CCO to build the Library.

Her Worship thanked Mr Crook.

It was confirmed that rental fees are yet to be finalised.

Cr O'Connor spoke of empty shops around town and stated there has been strong interest in renting of the commercial space.

Moved: Cr Jack O'Connor

Seconded: Cr Allan Gibson

1. That Mr Crook be thanked for his submission and the sentiments expressed therein.
2. It be confirmed the Council will determine the future use of the existing library in early 2025.

Carried Unanimously

SUBMITTER NO: 4 – Paul Finlay - Second Speaker

Dr Finlay is in favour of the formation of a CCO to build the Library and focussed his submission mainly on the structural aspects of the new building.

Her Worship thanked Dr Finlay for his submission.

The GMO advised that the Building Act outlines the requirements for structural performance. It was confirmed that the new Library will be built to an Importance Level 3 which means it is designed to survive an earthquake at this level.

Her Worship stated that new LiDAR hazard mapping confirms that the new Library is not in the flood zone.

Cr O'Connor thanked the GMO for providing clarity around this submission with regard to his comments around the Building Code.

Moved: Cr Robert Mallinson

Seconded: Cr Peter Davy

1. That Dr Finlay be thanked for his submission.
2. That he be advised that the Library building will be constructed in close compliance with the Building Act 2004, and the Building Code, and that such compliance includes seismic resilience provisions.
3. That he be advised that a meeting with the Architect is not possible because of cost considerations but that his thoughts will be conveyed to the Architect to the project.

Carried Unanimously

SUBMITTER NO:5 – Alice Cardwell

Ms Cardwell is in favour of the formation of a CCO to build the Library.

Moved: Mayor Tania Gibson

Seconded: Cr Jack O'Connor

1. That Ms Cardwell be thanked for her submission.
2. Her support for the CCO be noted.

Carried Unanimously

SUBMITTER NO: 6 – Paul Schramm - Third Speaker

Mr Schramm is in favour of the formation of a CCO to build the Library.

He stated that he is unsure as to what happens if the operation of the building makes a loss. He asked if Council still get its rent back and if it runs at a loss who funds that loss. He asked how big of a loss would be tolerated.

It was confirmed that the operation of the building is separate to the operation of the library. He agreed that having a CCO will improve the commercial focus.

Her Worship thanked Mr Schramm for his submission and stated that he made some very good comments.

Mr Schramm declined an offer by Her Worship for the Acting CE to provide responses to his questions.

Moved: Cr Rex MacDonald

Seconded: Cr Peter Davy

1. That Mr Schramm be thanked for his submission.
2. That he be thanked for his strong support of both the proposed library and the CCO.
3. He be advised that Council has considered all the matters raised as part of its decision to go ahead with the CCO consultation.

Carried Unanimously

SUBMITTER NO: 7 – Murray Hay

Mr Hay is in favour of the formation of a CCO to build the Library.

Moved: Cr Allan Gibson

Seconded: Cr Robert Mallinson

1. That Mr Hay be thanked for his submission.
2. He be thanked for his strong support for the Library and he be given the assurance that the CCO will strongly focus on maintaining ground floor tenancies.

Carried Unanimously

SUBMITTER NO: 8 – Tracey Makinson

Ms Makinson is in favour of the formation of a CCO to build the Library.

Moved: Cr Jack O'Connor

Seconded: Cr Peter Davy

1. That Ms Makinson be thanked for her submission.
2. It be confirmed that lift access will be provided.

Carried Unanimously

SUBMITTER NO: 9 – RJ Goodliffe

Mr Goodliffe is not in favour of the formation of a CCO to build the Library.

Moved: Cr Jack O'Connor

Seconded: Cr Peter Davy

1. That the submitter be thanked for his submission.
2. It be confirmed that:
 - Council's drinking water has to comply with stringent health and quality standards and is regularly monitored.
 - Council shows full concern about the perpetual threat that the Taylorville Resource Park poses to Council's drinking water supply and that Council has been monitoring the threat proactively.

Carried Unanimously

SUBMITTER NO: 10 - Russell Deyell & Jo Hart

Mr Deyell and Mrs Hart are not in favour of the formation of a CCO to build the Library.

Cr Mallinson is concerned that the the site for the new library is not designated as a flood prone site.

Her Worship stated that previous modelling did not take into consideration the floodwall, the floodwalls have now been raised and the new LiDAR modelling has now taken this into account, as the floodwalls now protect this area.

In response to a query relating to recommendation number 4, the Acting CE confirmed that depreciation will be funded over the life of the project and that it will fund the repayment of the loan.

Cr O'Connor noted this is not currently a well used site but having the new library in this area will encourage vibrancy in the CBD. He is pleased Council has been able to secure this piece of land.

Moved: Mayor Tania Gibson

Seconded: Cr Allan Gibson

1. The submitters be thanked for a well thought out submission.

2. Council considers the submission, noting that:

- Council is only too aware of the negatives a Private Public Partnership (note a PPP is only a CCO if the Council gets to appoint more than 50% of the voting membership). But, in this case:

- It is unavoidable for Council to access the "Outside" funding without which, a new library would not be possible.

- Council is also aware of the negative qualities of the site involved and is in the process of addressing these in consultation with DWC.

3. Council fully understands the need for the commercial business income to be at optimal levels and whilst negotiations will be had, income will be optimised.

4. Depreciation is funded and the funding invested in a reserve that will refund the loan after 40 years. Yes, we are putting away the cash to repay the loan.

5. Council fully acknowledges the climatic and location difficulties of the proposed location, however:

- It is freehold title land owned by DWC.

- It will be the stimulus for the development in the western section of the CBD, an area which is in dire need of development.

- It is seen as a stimulus for development of the historic precinct of town.

- It is not flood prone.

- Council is working with DWC on initiatives that will make the new development into a destination for tourists.

6. The co-location concept for the Polytechnics site has been considered as far back as 15 years ago, the focus having been on the old Civic Centre building. The intent had been to co-locate the schools, TPP and Council's library into a new building. However the parties were never happy to look at it, the public strongly opposed taking the library out of the CBD. Note – there is no certainty the TPP will be closed.

7. The reality is that the internal funding for the new Library including that of DWC makes the new library "affordable" without it Council would have to retain the status quo.

Carried Unanimously

SUBMITTER NO: 11 – Mark Costello

Mr Costello is not in favour of the formation of a CCO to build the Library.

Moved: Mayor Tania Gibson

Seconded: Cr Allan Gibson

1. That the submitter be thanked for his submission.

2. The submitter be advised that:

- The exposure of that area i.e. the Barber and prevailing winds through the "gap" was most certainly considered by Council. However land in question is freehold and owed by DWC as Council's partner in this.

- It is in close proximity to the CBD and will be the stimulus for further land development in the western part of the CBD, an area which is in dire need of renewal.

- It links up with the heritage precinct of Greymouth and will stimulate renewal in that area too.

Carried Unanimously**SUBMITTER NO: 12 – Jack Flood**

Mr Flood is not in favour of the formation of a CCO to build the Library.

Cr Mora noted that some sections of Mr Flood's submission include issues that Council is not consulting on.

Moved: Cr Rex MacDonald

Seconded: Cr Peter Davy

1. That the submitter be thanked for his submission.
2. The provision of a new library is for all intents and purposes made possible by the financial input of DWC and the Crown agencies. This, to a large extent determined the location for the new Library as proposed.
3. Council has duly noted the impact of the project on rates and debt and its decision to continue with the consultation was based on the reality that this is the last chance for a new Library to be built.
4. Council believes that it has provided sufficient information for informed input barring information that may compromise tender processes etc.

Carried Unanimously**SUBMITTER NO: 13 – Andrew Wright - Fourth Speaker**

Mr Wright spoke to his submission.

He is opposed to the use of a CCO but he is not opposed to the new library. He stated he was not confused about Three Waters and it did not have to be used for the library and could be used for other social projects which could benefit ratepayers.

He has some concerns about the practicality of the design plans as the only consultant used was from 2020. He stated he has had 35 years experience of working in the library industry. He raised the the question whether the design provided for the introduction of a mobile Library into the future. He is concerned that these issues may not have been covered in the 2020 report. He spoke of 24 hour access to the meeting rooms and events that are held in libraries. He also raised concerns about a Unitary Council outcome on the building.

He thanked Council for hearing his submission and stated that he hopes Greymouth ends up with a world class library.

He feels that a CCO's constitution needs to be watertight so that Directors of the CCO do not get involved with the running of the library. Whilst he notes assurances that the CCO will have no input in the operations of the library, he is concerned that decisions by the Library may impact public opinion and potential protest action (LGBT readings etc) and that this may impact on businesses. This raises concerns about library independence.

He is concerned that information that was contained in the Consultation Document was a bit confusing as it states that Council will instruct the CCO what it wants out of the library.

The Acting CE acknowledged that the consultation document may have created the wrong impression. He confirmed that the CCO will have no input whatsoever into the running of the library as a service.

He offered to pass on Mr Wright's submission to the consultants to ensure they take note of his views.

Her Worship agreed with the Acting CE's comments. She confirmed that conversations around shelving, loading, and afterhours meeting rooms have been had. She stated that the amalgamation of services does not have anything to do with libraries.

She advised that Three Waters funding also went to the Kotare Domain, and the Lake Brunner Scenic Trail. Her Worship stated that she would like Mr Wright's input with regard to any possible further consultation.

Cr Mallinson stated that Council needs to be quite explicit between the operation of the building and the operation of the library. The Acting CE advised Cr Mallinson that this is included in recommendation number 2.

Cr MacDonald stated this is a very comprehensive submission. He stated that Three Waters funding had to be approved for projects.

Cr Mora feels Mr Wright missed the point with regard to the formation of a CCO which is the mechanism used to enable a joint venture with DWC.

Moved: Mayor Tania Gibson

Seconded: Cr Allan Gibson

1. That the submitter be thanked for his submission.
2. He be advised that:
 - The funding is not Three Waters funding. It was funding for social outcomes offered by the previous Government as a "sweetener" for the Three Waters being taken off Council.
 - The designs have incorporated full Library staff input and its finalisation will also involve staff.
 - Council has proceeded with the CCO consultation having considered the project holistically including parking etc.
 - Council through its library staff will determine the operational aspects of the Library floor as a whole and the CCO will have no input whatsoever.
3. That the final design of the library will be going out to public consultation
4. Mr Wright provides his comments on the library as a service in writing for presentation to the design engineer.

Carried Unanimously

SUBMITTER NO: 14 – Liz Burke

Ms Burke is in favour of the formation of a CCO to build the Library.

Moved: Mayor Tania Gibson

Seconded: Cr Allan Gibson

1. That the submitter be thanked for her submission.
2. She be advised that:
 - the library will be purpose built and will allow for collections.
 - Council has duly noted the reality that more staff may be needed.
 - Council is yet to determine the issue of History House / a museum.
 - The CCO will have no input in the operations of the library.

Carried Unanimously

SUBMITTER NO: 15 – Barrie Brown

Mr Brown is not in favour of the formation of a CCO to build the Library.

Moved: Mayor Tania Gibson

Seconded: Cr Allan Gibson

1. That the submitter be thanked for his submission.
2. The provision of a new library is for all intents and purposes made possible by the financial input of DWC and the Crown agencies. This, to a large extent determined the location for the new Library as proposed.
4. Council has duly noted the impact of the project on rates and debt and its decision to continue with the consultation was based on the reality that this is the last chance for a new Library to be built.
5. Council believes that it has provided sufficient information for informed input barring information that may compromise tender processes etc.

Carried Unanimously

Cr Gibson commented that the public has had plenty of time to consider everything and they should not criticise if they don't make a submission.

Cr Mallinson stated there were many thoughtful submissions this afternoon, and he appreciates submissions that are against as much as those that are for.

Cr O'Connor stated that it is disappointing that only 15 submissions were received. He stated that people are quick to complain if they are not happy, and he feels that a CCO is not a concern to people at this point in time. He thinks that Council may receive more submissions when it comes to the design of the library.

Her Worship stated that library services are under strain and the technology requirements are not in the building. She stated that if the new library is not built now with the funding received it is not likely to be built in the future. She stated this is a big project but feels it is now or never. She noted that there are good indications coming through from prospective tenants. She stated this is a community hub and not just a library.

Cr Gibson stated that everyone forgets that there is going to be a massive asset to the town and we are lucky.

Cr Mora stated that Council has already consulted on a new library via the LTP and this is the mechanism needed to get this across the line.

RESOLUTION SCM 24/07/013

Moved: Mayor Tania Gibson

Seconded: Cr Robert Mallinson

- 1.. That Council having heard the submissions, confirms its full commitment to the venture, noting the comments herein in relation to the urgency of the next steps in the process and final governance model negotiations to be had.

Carried Unanimously

3.2 MANDATING PARTICIPATION IN THE PROPOSED LIBRARY CONSTRUCTION PROCESS.

Refer page 27 of agenda.

Cr MacDonald suggested a name change to the Community Hub Steering Group to remove any uncertainty that it is not only a Library.

The Acting CE advised that the CCO is not yet set up.

It was agreed the name would be changed to Community Hub Steering Group.

RESOLUTION SCM 24/07/014

Moved: Mayor Tania Gibson

Seconded: Cr Allan Gibson

1. That Council authorises the Chief Executive, Group Manager Operations, Her Worship, and Group Manager Support to:
 - Participate in the activities of the Community Hub Steering Group and
 - Take decisions on matters pertaining to the project in the best interest of Council subject to the following conditions:
 - All activities of the Steering Group be reported back to Council at the earliest opportunity for Council to confirm decisions where necessary.
 - They use sound judgement to seek a mandate from Council when matters arise which should have Council input.
 - All matters of significance be referred to Council before committing to it.
2. That the Community Hub Steering Group not be seen as a Council committee for purposes of the Local Government Act 2002.

Carried Unanimously

3.3 RESERVE FUNDS: MOVEMENTS 2023/4

Refer page 30 of the agenda.

The Acting CE advised that this is a replacement for the report that was brought to Council on 24 June. He stated this reflects what was in the last Annual Report and the Annual Plan and these are the movements planned for the 2023 / 24 financial year. He stated that the next step is to confirm the final balances and to award interest in each one of the reserves per its earning which will become part of the Annual Report.

RESOLUTION SCM 24/07/015

Moved: Cr Allan Gibson

Seconded: Cr Robert Mallinson

1. That Council notes the movement in reserves as signalled in the Annual Plan and the fact that capital projects requiring debt funding will be funded as planned.

Carried Unanimously

3.4 AIRPORT: FUNDING OF RUNWAY RESEALING:

Refer page 33 of the agenda.

The FM confirmed that the Airport Runway Resealing reserve can be utilised for the runway only. However the Airport Maintenance reserve can be utilised for all airport maintenance activities, including the runway reseal.

Cr MacDonald stated that a large amount of money was saved on this contract due to the good work of staff.

The Acting CE stated that the contractor did a very good job.

Her Worship acknowledged the hard work done by the Finance Manager and thanked him for his efforts.

RESOLUTION SCM 24/07/016

Moved: Mayor Tania Gibson

Seconded: Cr Robert Mallinson

That Council:

1. Mandates the funding of the cost of \$278,292.00 for the recent airport runway reseal from the Airport Maintenance Reserve.
2. Notes the need to make annual contributions to the Airport Runway Reserve as it will require another reseal in about 7 years.

Carried Unanimously

4 MISCELLANEOUS ITEMS

5 COUNCIL RESUMES IN OPEN MEETING

CLOSURE OR RATIFICATION OF DECISIONS IN OPEN MEETING.

The meeting concluded at 4.20 pm

Confirmed

T Gibson

Chairperson

_____/_____/_____

Date