

2.0 - REVIEW RATIONALE, TERMS OF REFERENCE, AND METHODOLOGY

2.1 Review Rationale

“The fundamental purpose of the Review is to determine the location of the optimum site for the proposed Indoor Sports Community Centre.”

The Wellington City Council (the Council) approved the construction of a 12-court Indoor Community Sports Centre (ICSC) at Cobham Park in Kilbirnie on 27 June 2006 following significant consultation with sport since 1999 and consideration of numerous options. The activities leading to this decision are summarised in Appendix 7. Among the options considered prior to the Council making this decision was a 12-court facility on the Westpac Stadium Concourse. This was rejected in February 2004.

The preferred option was reconfirmed by the Council a further two times in June 2007 and June 2008. As the confirmed preferred option, detailed design and planning work was undertaken with documentation developed to secure resource consent for the Cobham Drive ICSC in January 2009, and to enable the sub-trade tender to be released to the market for return by March 2009, with construction planned to commence April/May 2009.

In June 2008 the Council voted 13-1 in favour of proceeding with the project at Cobham Drive, however in February 2009 Wellington City Councillor Andy Foster lodged an appeal to the Environment Court against the resource consent granted to the Cobham Drive proposal. His grounds were largely that there was a superior proposal at a similar cost (which had previously been rejected when options were being considered) that needed to be considered. Councillor Foster’s preferred option was to build the ICSC above the Concourse at the Westpac Stadium. This proposal also envisages the centre being used for concerts, and corporate events, in addition to it being a community sports facility. Mr Mike Mellor is also an appellant, for different reasons mainly related to the Council’s resource consent process associated with the Cobham Drive site.

In an attempt to avoid the further delays and associated direct and time-related costs resulting from an appeal in the Environment Court, the Mayor approached Councillor Foster to identify if there was anything the Council could do to have the appeal withdrawn.

The Mayor offered an independent review of the Concourse and Cobham proposals, conditional upon Councillor Foster’s withdrawal of his appeal. Councillor Foster advised he would agree to an independent review led by Sir John Anderson. He agreed, subject to approval of the Terms of Reference, that he would withdraw his appeal and accept the findings of the Review.

Sir John Anderson agreed to lead the independent review with two preconditions:

- Councillor Foster will formally withdraw his Environment Court appeal against the granting of resource consent to the Council for purposes of constructing and operating an ICSC at Cobham Drive Park upon his agreement to these Terms of Reference
- Upon agreement to the independent review, the Council agrees to abide by Sir John Anderson’s recommendations arising from the review

Councillor Foster, the Mayor and the Council accepted these preconditions at their meeting on 5 March.

2.2 Review Terms of Reference

“An independent review including experts and a project manager, chaired by Sir John Anderson, would determine the best location.”

The Terms of Reference for the independent review are included in Appendix 1. The purpose of the review is to:

- Assess and make a recommendation to the Council on the proposal for the city to build a 12-court Indoor Community Sports Centre. To examine all matters relevant to the issue namely the two options, Cobham Drive Park and the Westpac Stadium Concourse
- Sir John Anderson to lead the review supported by an experienced project manager and independent experts. Appendix 2 lists the independent experts, their disciplines and any past or existing relationships or conflicts of interest they may have in relation to the project.

The Review commenced on 6 March, and undertook to provide an independent report that would be made public and would include:

- Details on the process followed, the conclusions reached and supporting rationale for those conclusions
- A presentation of the report to the Council, with the independent experts available for questions at the relevant Council meeting

The Review was to be completed in total, including the report to Council by 20 April 2009.

2.3 Review Methodology

“The independent review examined both options in detail including the attractive and unattractive features of each site.”

All past relevant written materials associated with the project itself, and the two options were made available to the independent review. This material is detailed in Appendix 5. In addition to considering this material the independent review received detailed presentations on the two options from technical experts associated with each option (no limitation was placed on who could attend with the party presenting each option), and received presentation from the potential users of the facility and relevant stakeholders. Appendix 4 lists the parties with whom the independent review met.

The material provided to the independent review was then considered by the independent experts' panel, who, as necessary, had one-to-one contact with the providers of the information to seek clarification. The independent review collectively discussed and reviewed the findings

and issues as they arose. Each member of the independent experts' panel, and other technical experts, then wrote a report for the Review confirming the merits/attributes/assumptions and risks of each option associated with their area of expertise. This covered all relevant aspects for the project including functionality for the users, accessibility, sustainability, urban design, buildability, traffic issues and all aspects of cost. The summary reports from each of the experts are included in Appendix 8. Upon receipt of the final reports from the independent experts, the independent review debated and resolved the preferred option.