

Appendix I – DCC March Resolution Council Meeting 17th March 2008 and amendments from the Council meeting 29th September 2008 (Clause Reference Background E)

"That the Dunedin City Council commits to the Awatea Street Stadium project on the following terms and conditions:

1. The project cost is confirmed at not exceeding \$188 million. The Council's share of the projected budget cost from 1 July 2008 is a further \$79.9 million made up of \$73.5 million plus \$6.4 million as a depreciation allowance. It is noted that the sum of \$11.5 million was committed in the current year to 30 June 2008 making a total Council commitment of \$91.4 million to the project.
2.
 - a) The Mayor in consultation with the Deputy Mayor and CEO confirm within seven working days that property contracts are satisfactory in all respects and will enable the Council to meet its commitments arising from these resolutions.
 - b) The Council notes that in two property transaction there are conditions imposed by the vendors which need to be removed because the Council has no power to consider them under the provisions of the Local Government Act 2002.
3. That a public tender process which meets the requirements of the agreed Council Procurement Process is entered into to obtain a guaranteed maximum price for construction.
4. That a contract is entered into with the University of Otago in relation to the land it is to purchase and written confirmation be given by the University of Otago as to the facilities that are proposed to be built on the land.
5. A satisfactory conclusion to the planning process and adoption of a Plan Change.
6. That a Service Level Agreement, based on the draft that is included in the "public excluded" part of the agenda of this meeting, is signed as soon as possible and that a project control group will be established in accordance with that agreement and that the Council will be represented by personnel with significant experience in construction, project management and financial marketing. It is noted that the Service Level Agreement will provide inter alia that the Trust reports regularly to the Finance and Strategy Committee.
7. The acceptance by the Council of a tender price is subject to:
 - a) confirmation of Otago Regional Council funding of not less than \$37.5 million.
 - b) the sighting and approval of agreements negotiated by the Carisbrook Stadium Charitable Trust and the Otago Ruby Football Union for the sale and purchase of the Union's property assets, in time for consideration by the Finance and Strategy Committee at its meeting on 1 December 2008.
 - c) the sighting and approval of occupation and revenue agreements between the Carisbrook Stadium Trust and the Otago Rugby Football Union.
 - d) that a minimum of 60% of the private sector funding target of \$45.5 million and Council's satisfaction as to progress in achieving the balance and any further funds including those required for the servicing of any bridging finance arranged by the Council for the Carisbrook Stadium Charitable Trust is confirmed, with signed contracts conditional on the stadium proceeding. This information is to be provided



in time for consideration at the Finance and Strategy Committee meeting on 9 February 2009.

- e) the Rates and Funding Working Party continues to identify ways in which the ratepayers' contributions to the capital cost of the stadium can be reduced by \$20 million providing it comes from sources other than the Holding Company and in that regard regular reports will be made available to the Finance and Strategy Committee.
- 8 The Council will receive written confirmation from the Community Trust of Otago (as set out in the Council's cashflow information) that they will provide funding in accordance with the following programme prior to the signing of the guaranteed maximum price (GMP) contract for construction of the stadium:
- | | | |
|--------------------------|-------------------|---------------|
| Community Trust of Otago | 31 March 2009 | \$2.5m |
| | 31 December 2009 | \$2.5m |
| | 30 September 2010 | \$2.5m |
| | 30 April 2011 | <u>\$2.5m</u> |
| | | \$10.0m |
9. That where resolutions 1-8 above conflict or are inconsistent with any prior resolutions of the Council the above resolutions 1-8 prevail."

