



Te Kaunihera-ā-Rohe o Ngāmotu

NEW PLYMOUTH DISTRICT COUNCIL

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MEETING AGENDA

LEN LYE COMMITTEE

Friday 21 March 2014

at 3pm

**Plymouth Room, Civic Centre
New Plymouth**

Chairperson

Cr Marie Pearce

Members:

Mayor Andrew Judd

Cr Richard Handley

Cr Howie Tamati

Mr John Matthews

Dr Roger Horrocks

Dr Wystan Curnow

Mr Evan Webb

**LEN LYE COMMITTEE
FRIDAY 21 MARCH 2014**

Addressing the subcommittee

Members of the public have an opportunity to address subcommittees during the public forum section or as a deputation.

A public forum section of up to 30 minutes precedes all subcommittee meetings. Each speaker during the public forum section of a meeting may speak for up to 10 minutes. In the case of a group a maximum of 20 minutes will be allowed.

A request to make a *deputation* should be made to the secretariat within two working days before the meeting. The chairperson will decide whether your deputation is accepted. The chairperson may approve a shorter notice period. No more than four members of a deputation may address a meeting. A limit of 10 minutes is placed on a speaker making a presentation. In the case of a group a maximum of 20 minutes will be allowed.

Definitions in reports

The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. For the purpose of clarity, the following definitions apply:

Significance assessment refers to the degree of importance in terms of its likely impact on the current and future well-being of the district, as articulated by the seven Community Outcomes (Connected, Prosperous, Secure and Healthy, Skilled, Sustainable, Together and Vibrant); the persons likely to be affected by, or interested in, the matter; and the extent to which strength of feeling exists or is known to exist on the issue; changes or potential changes to the levels of services currently offered to the community and therefore the current and future capacity of the council to perform its roles, and the financial and other costs of doing so.

Views of those affected refers to those persons, including tangata whenua, who are likely to be affected by, or have an interest in, the issue. A description of the affected parties, a description of the processes, methods and levels of consultation used to identify their views, along with a summary of those views will provide a means of presenting the community viewpoint on the issue. Where the views of those affected have not yet been sought, the future means of seeking those views will be set out)

Tangata whenua considerations refers to those matters that the local authority must assess in relation to its undertaking of decisions. Where an option for the achievement of the objective of a decision involves a significant matter in relation to land or bodies of water, the local authority must take into account the relationship of Maori, and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga.

**LEN LYE COMMITTEE
FRIDAY 21 MARCH 2014**

APOLOGIES

Cr Richard Handley

PUBLIC FORUM

None advised.

DEPUTATIONS

None advised.

A ITEMS FOR DECISION BY COMMITTEE

A1 LEN LYE CENTRE UPDATE

The purpose of this report is to present a progress report on the Lye Centre construction from 13 September 2013 to 14 March 2014.

A2 FUNDRAISING FOR LEN LYE CENTRE

The purpose of this report is to provide an update from the Len Lye Centre Trust on fundraising to date.



**LEN LYE COMMITTEE
FRIDAY 21 MARCH 2014**

LEN LYE CENTRE UPDATE

PREPARED BY: Gaye Batty (Project Director –Len Lye Centre)
TEAM: Infrastructure
APPROVED BY: Jim Willson (General Manager, Infrastructure Group)
WARD/COMMUNITY: District Wide
DATE: 19 March 2014
FILE REFERENCE: DM 1531949

PURPOSE

The purpose of this report is to present a progress report on the Lye Centre construction from 13 September 2013 to 14 March 2014.

EXECUTIVE SUMMARY

The project remains on budget and on time for completion in December 2014 despite some delays finalising sub-contractors. Inside the Govett-Brewster Art Gallery earthquake strengthening work and replacement of heating and ventilation ducting is well underway. Construction and installation of precast concrete walls over the summer months has been steady with little interruption due to adverse weather. The stainless steel has arrived in New Plymouth and sample facade panels with stiffening/liners have been approved by the architect.

In February 2014 Simon Rees became the Council's new Gallery Director bringing fresh ideas for the opening exhibition scheduled for June 2015.

Community Engagement activities with a variety of groups continues as a partnership between the Govett-Brewster Art Gallery and the Len Lye Centre Trust.

On 6th March 2014 Council received notification that its application to the NZ Lottery Grants Board for \$2.695 million was successful ensuring that the \$10M budget for construction of the Centre plus \$1.5M for fit-out of both the centre and its cinema will be met through external funding. The Len Lye Centre Trust will continue its focus on providing funding for items that enhance the Centre for visitors and to assist with ongoing operations.

Part of a wider project

The Len Lye Centre is one part of an overall project totalling \$16.928m. In addition to the \$11.5m budgeted for the centre, the Council is using depreciation funding of \$5.428m for earthquake strengthening, deferred renewal work and Building Code requirements at the neighbouring Govett-Brewster Art Gallery. All work was tendered in a single contract to minimise cost.

RECOMMENDATION

That having considered all matters raised in the report the report be received.

SIGNIFICANCE ASSESSMENT

In terms of the Council's Significance Policy this matter is of:

Low significance Medium significance High significance

This matter has been assessed as low significance because it provides an update on implementation of decisions that have already been made by the Council.

BACKGROUND

This report advises of activities being undertaken to give effect to the Council resolutions regarding the construction of the Len Lye Centre.

DISCUSSION**1. BUILDING PROGRESS REPORT****Achieved**

Foundations for the cinema, archive area, lift shaft, central service duct and education space have been completed and the cinema and archive area have floors, walls and ceilings. All concrete precast interior walls have been installed and the shape of each gallery/space is now evident. Along the western side of the building next to WR Phillips the exterior wall has been erected to full 14 metre height.

Inside the Govett-Brewster earthquake strengthening work is well underway with reinforcing bars and concrete foundations laid along the main interior shear wall.

There have been significant discussions held for precast concrete, stainless steel, and metal window & doors sub-trades which have taken longer than expected. These had the potential to cause delays but the contractor advises that building construction is still on target for completion in December 2014.

Current Programme

Fabrication and erection of the interior structural steel framework has started on the northern wall parallel to the Govett-Brewster and programmed to continue through until the end of June. Inside the Govett-Brewster pouring of the seismic foundation wall is programmed for wet weather days and the installation of mechanical ducting in the registration room and galleries 1 and 2 is underway. Workshops with gallery staff to finalise the interior fit out for the entry lobby and reception area which will service both buildings, are underway.

Next three months

All structural steel framing for the interior walls will be erected giving the building its full height and shape. The foundations around the perimeter will be excavated and poured ready for installation of the curved 14 metre high concrete facade panels from which the stainless steel panelling will hang. The main roof structure and cladding will also be underway.

Appendix 1 is an executive summary financial report received from quantity surveyor Rider Levett Bucknall dated 17 February 2013. The report is for use as a tracking tool for construction works and contract instructions. Please note the figures are not the same as in the monthly financial reports Council receives.

More detailed information on the current programme of works is available from the Director – Len Lye.

2. NEW INSTITUTION CREATION - PROGRAMME OF ACTIVITIES

The new Gallery Director, Simon Rees is evaluating the opening programme and exhibition based on his international experience and the opportunity the combined institution presents.

There will be a further report on this at the next meeting.

3. LEN LYE CREATION OF WORKS

Trilogy (Flip and Two Twisters)

A new *Trilogy (Flip and Two Twisters)* will replace the existing work held in the Govett-Brewster collection, funded through NPDC renewals. The Len Lye Foundation has a contract drafted so construction of the work can begin and the necessary onsite testing be completed in time for the opening of the Govett-Brewster and Len Lye Centre. *Trilogy* will be displayed during the opening suite of exhibitions in 2015 and in its traditional setting, recognising the historical relationship between this particular work and the Govett-Brewster. In subsequent exhibitions, *Trilogy* will feature in either its current location or the new Large Works Gallery as necessary.

Giant Fountain

Giant Fountain will be the major new work unveiled with the opening of the Len Lye Centre, featuring in the Large Works Gallery. Funded by the Len Lye Foundation, *Giant Fountain* will reside within the Len Lye Foundation Collection under the care of the Govett-Brewster. This work will be approximately eight metres high. At present, the Len Lye Foundation's engineer Stuart Robb is testing polished stainless steel tubes for this work at a workshop in Technix Industries.

Bell Wands

Two outdoor projects based on the *Bell Wand* work are proceeding in parallel. A larger version of this work called *Time Dance* is also being designed. *Time Dance* comprises 78 bell wands, each approximately 6.8 metres high. The bell wands, arranged to represent a 12-hour clock, cover an area approximately the size of a rugby field. Lines of *Bell Wands* shake on the hour sounding the time in much the same way as a carillon. The smaller project, called *Wand Dance* includes, six 3.4 metres wands surrounding a taller, 3.7 metres wand. Each wand is topped with two crotal type bells. The wands are shaken by motors that, in turn, cause the bells to sound. The bells have been cast in bronze and are currently being machined, tuned and assembled. The mechanism and wands are currently being designed and a prototype is about to be tested. *Wand Dance* is a project suitable for adaptation to the Large

Works Gallery and may be a timely successor to *Giant Fountain* following the opening in 2015.

Blade

The *Blade* in the Len Lye Foundation Collection is being re-built. Parts of the mechanism in this work are original (built in the time of the artist) and it is an objective of the Len Lye Foundation to preserve all original works where possible. To this end, *Blade* will be retired and used for study and research purposes only. Two other *Blades* are being developed at the same time. John and Lynda Matthews *Big Blade* was displayed in Pukekura Park during the summer. It featured a new shuttle mechanism designed by local engineer Stuart Robb. The mechanism performed efficiently. The work is currently being fine-tuned at a workshop at Technix Industries. Len Lye left plans for a large outdoor work called *Time Henge* that featured twelve different sized *Blades* arranged in a circle, each representing an hour of a clock. The smallest *Blade* in this ensemble would be the size of *Big Blade*, approximately three metres tall. The biggest *Blade* of the 12 would be approximately eight metres tall! Tim Spencer, a Masters student studying mechanical engineering at the University of Canterbury, has almost finished the design work for this *Blade*. It will require a sheet of titanium, weighing approximately 700 kg. The titanium is currently being sourced from a mill in China.

Small Fountain

A small *Fountain*, identical to that owned by Ben Lindenhahn (Len's grandson) has been built for the Len Lye Collection. This *Fountain* has a plume of wires, approximately 3 feet long that rise above a highly polished stainless steel disc. It will be included in opening Len Lye exhibition in 2015.

Sun Land & Sea

Alex O'Keefe, a PhD candidate in Mechanical Engineering at the University of Canterbury, is researching and designing Len Lye's largest outdoor work, *Sun Land and Sea* – an enormous kinetic sculpture comprising seven *Sea Serpents*, each 46 metres long, a *Cave Goddess* and a *Sun God*. Len Lye built several models and variations of this work and Alex is also designing and developing one of those models for the Large Works Gallery. It will comprise a stainless steel 'serpent', nine metres long, that rears up and spits a bolt of lightning through the *Cave Goddess* and into the *Sun God*. This electrical discharge and other 'crackling' electrical effects that occur beneath the serpent are being developed in the high voltage laboratory at the University.

Watusi

Research began in March on reconstructing one of Lye's smaller works, *Watusi*. Similar in style to the recently reconstructed works, *Moonbead* and *Zebra*, *Watusi* will potentially be exhibited in the opening Len Lye exhibition in 2015

4. FUND RAISING

Len Lye Centre - the numbers

Cost of construction and fit-out	Fundraising to date
\$10m – construction of new building	\$1m – TSB Community Trust, committed in 2009
\$1.5m – fit-out of centre and cinema	\$4m – Ministry for Arts Culture and Heritage Regional Museum Policy Fund, 2011
	\$0.5m – Lotteries’ Environment and Heritage Fund, 2011
	\$3m – Sole Founding Partner, Todd Energy, 2011
	\$0.305m – private donors as of March 2014
	\$2.695m – Lotteries’ Significant Projects Fund, March 2014
Total : \$11.5m	Total : \$11.5m

Now that the full construction cost and fit out of \$11.5M has been achieved the Trust will continue its focus on providing funding for items that enhance the Centre for visitors and to assist with ongoing operations. The programme for doing this will be considered at the next Len Lye Centre Trust meeting in April.

More detail on fundraising is provided in a subsequent report (DM1531274).

5. COMMUNICATION AND COMMUNITY ENGAGEMENT

Background

Community engagement refers to the ways in which we connect with the local community, and national and international audiences, in the development and future operation of the Govett-Brewster Art Gallery/Len Lye Centre combined museum.

In order to encourage sponsorship, partnership, government investment and trust funding, the Len Lye Centre must demonstrate the support it has from within the community. A community engagement programme based on a mix of marketing and communication initiatives and events will aim to achieve this objective, and engage and enthuse. The goal of this approach is to build excitement and support until the moment they’re ready to walk through the doors.

Opportunities (such as events and tactical initiatives) will be developed that invite stakeholder and community involvement, encouraging them to be a part of the project and connect with the goals for the new facility. A community engagement event schedule leading up to and after opening will ensure such opportunities are presented to our identified audiences.

ITEM A1

ITEM FOR DECISION

Two important strands of communication have been identified:

- Functional (such as day-to-day communications of project milestones, construction, responding to media)
- Promotional (such as news releases; story pitching; planning for media and trade familiarisation)

Various communication tools will support community and iwi engagement, including web and online activities, social media, content marketing, PR, promotional events/initiatives and cross-marketing initiatives with various local and national events.

A social media plan will identify best-practice and continue to build on the Govett-Brewster and NPDC online presence with over 2,800 combined Twitter followers and over 7900 combined Facebook friends.

According to a report commissioned and released in 2012 through Creative New Zealand, the Gallery has already achieved very strong recognition within the local community, second only to Dunedin Public Art Gallery in local market awareness, with 76 per cent having attended or been interested in attending the Gallery in the last three years (*Dashboard results, Audience Atlas New Zealand 2011*). Building on this recognition is fundamental to the museum's success.

It is also important to recognise the potential that other stakeholders (e.g. Friends of the Govett-Brewster, Govett-Brewster Foundation, Len Lye Centre Trust, Len Lye Committee, NPDC, Education, Venture Taranaki, the art community and staff) have to disseminate information about the project locally, nationally and internationally. Various initiatives will identify opportunities to leverage these networks, encourage their engagement and proactively provide them with the tools they need.

As outlined in the agenda for the Len Lye Committee meeting of 16 May 2013, the key objectives for the project work stream of Community Engagement /Communications are to:

- Increase community awareness and understanding of the project and its benefits to the region.
- Increase community enthusiasm for the combined Govett-Brewster Art Gallery and Len Lye Centre.
- Increase national awareness and understanding of the project.
- Assist with fundraising.

Additionally, through our Community Engagement/Communications Plan it is aimed to:

- Communicate the relevance of the Govett-Brewster/Len Lye Centre to its communities and the benefits it will bring to the region.

- Promote the LLC as the world centre for the engagement with the art and ideas of Len Lye.
- Promote Govett-Brewster/Len Lye Centre as a leader in the national and international cultural landscape.
- Communicate the national and global significance of Len Lye himself and the Len Lye Collection and Archive to the wider Taranaki, national and international communities.
- Emphasise the appeal of Len Lye across generations, backgrounds, audience sectors and cultures.
- Promote New Plymouth district as the world centre for Len Lye and as a centre for global and national conversations about art, ideas and innovation.
- Raise awareness, build understanding, create belief, create behaviour change and generate advocacy.
- Provide communication support across other project work streams.

Activities completed

- **Community Engagement Events:**
Total of 15 events delivered since July 2013 in conjunction with the Len Lye Centre Trust to:
 - Chamber of Commerce Board
 - Chamber of Commerce BA5
 - Taranaki Young Professionals
 - NPDC front desk staff.
 - I-SITE staff
 - Puke Ariki Volunteers
 - Probus Merrilands
 - U3A
 - Egmont Lions
 - MediaWorks
 - NP Floral Art Group
 - Rivet staff
 - Rotary Club of NP
 - NP Rotary North Group
 - In December 2013, the Philippe-Alain Michaud the chief curator of film at the Centre George Pompidou, Paris, one of the world's four great contemporary art museum's, visited New Plymouth as the gallery's first "film curator in

residence”. Michaud was here to consult with the establishment of film programming and film curating as well as establishing grounds for future partnerships between the Len Lye Centre and the Centre Georges Pompidou. The first such partnership will take place in 2015 with the presentation of a programme of the films of one of Len Lye’s peers, Robert Breer, from the Pompidou collections.

- **Content Marketing:**
 - DLE flyer ‘Transforming Gallery’ printed and distributed
 - Gallery seasonal programmes promoting LLC fundraising initiatives and new museum opening. Key LLC messages include gallery building closure and community engagement events
- **Web/Online activities:**
 - A 3-minute promotional film developed which has been viewed over 1,100 times on YouTube and a valuable tool for community engagement presentations
 - LLC FAQ’s updated on the Govett-Brewster and NPDC websites.
- **Communications:** Unpaid media coverage for Len Lye Centre Jan – Dec 2013
 - Local placements - 24
 - National placements - 23
 - International placements - 1
- **Iwi engagement:**
 - A Mauri stone was buried on site at a dawn ceremony on 24 May 2013 with numerous stakeholders present, including local iwi.

Activities underway and in development

- **Community Engagement:**
 - Scheduling of community engagement events with local business community and special interest groups are ongoing, with the target set at one per month
 - Len Lye film screenings at WOMAD, playing twice per night
 - Community engagement event to celebrate the facade reveal
 - Establish a series of community engagement events for immediately pre and post opening
- **Web/Online:**
 - Video blog series in development

ITEM FOR DECISION**ITEM A1**

- Ongoing updates to Govett-Brewster and NPDC website, including establishing online donations (in progress)
- Review of Govett-Brewster website
- **Social Media:**
 - Ongoing promotion of activities via Govett-Brewster and NPDC social media networks
- **Content Marketing**
 - Various material to support initiatives in the Community Engagement / Communications Plan and other project streams
 - Signage at Cafe Govett-Brewster, Brougham House and King & Queen Hotel
 - Additional signage pole at the Wind Wand providing connection to the Len Lye Centre. Will be designed in a way that will give us flexibility to profile other Len Lye works proposed for around New Plymouth (TBD)
 - Model on 'tour'. Previously on display at the Civic Centre with supporting information (following the contractor's briefing function on 18 September 2013), the model is now at Auld Brewer Mazengarb & McEwen following the BA5 Event on 27 February and it will continue to offer it to partners and stakeholders to use as a promotional tool.
- **Communications:**
 - Ongoing communications activities to support all project work streams and key project milestones
 - Communications database to incorporate all sponsors / stakeholders / partners.
 - Len in Motion newsletter to stakeholders and partners sent out bi-monthly
 - Bi-monthly meeting with 'Arts & Culture Precinct' business owners (the Gallery neighbours)
 - Ongoing communications with local and national media
 - Ongoing weekly Artzone chat on Most FM

OPTIONS

This report provides an update on progress on matters which have already been approved by the Council.

ITEM A1**ITEM FOR DECISION****IMPLICATIONS ASSESSMENT****Local Government Purpose**

The matter comes within the scope of the Council's lawful powers, including satisfying the purpose statement in section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality (i.e. efficient, effective and appropriate to present and anticipated future circumstances):

Local Infrastructure Local public services Performance of regulatory function

The 2012 Amendments to the Local Government Act (December 2012) states the purpose of local government is 'to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost effective for households and businesses.' Specifically, local government 'must have particular regard to the contribution that core services make to its communities, core services include museums (section 11A). Also, community infrastructure is defined as 'land, or development assets on land, owned or controlled by the local authority to provide public amenities' (Section 197.) The Govett-Brewster / Len Lye Centre will offer 'good quality' local public service, through the most 'cost-effective' options.

As discussed under 'Options' above, the matter will be delivered in the way that is most cost-effective for households and businesses.

Community Outcomes

This matter contributes to the following community outcomes:

Connected Skilled Prosperous Secure and Healthy
 Together Vibrant Sustainable

Community outcomes are the outcomes that the Council aims to achieve in meeting the current and future needs of communities for good-quality local infrastructure, local public services and performance of regulatory functions.

The Len Lye Centre will provide an iconic dedicated museum building (incorporating the upgrade of Govett-Brewster Art Gallery) as a promotion visitor/tourist attraction for the district.

LTP / Annual Plan

Is this matter currently budgeted for? Yes No

The operating budget for the Len Lye Centre is included in the Long Term Plan. Provision of the construction budget has been addressed in previous reports.

Consistency with Policy and Plans

The matter is consistent with the Council's plans and policies.

The activities of the Govett-Brewster / Len Lye Centre are consistent with the Council's guiding strategic intent 'to offer an attractive living environment that compares favourably

nationally and internationally.’ It is stated that the Council will ‘invest in, maintain, assist and encourage others to provide those diverse facilities, infrastructure and services that are needed to make New Plymouth District nationally and internationally a location of choice.’

The Vision (Activity Management Plan 2012-2022) is stated as follows: ‘The Govett-Brewster is a pathfinder, an innovator and a catalyst for contemporary art and ideas. The Len Lye Centre is the world centre for the care, exhibition, research and development of the art and ideas of Len Lye, pioneer filmmaker and kinetic sculptor.’ The Mission is ‘to offer extraordinary experiences with art that provoke new ideas and enrich the imagination’.

Legal

Completion of the Len Lye Centre is subject to a number of legal agreements. The activities referred to in this report comply with all of those agreements.

Tangata Whenua Maori

There are no specific tangata whenua considerations.

Community Views and Preferences

The purpose of this report is to advise of progress on the Len Lye Centre. There is likely to be a high level of public interest during development of the Centre.

Risk Analysis

This report advises of progress on the Len Lye Centre construction and is for information purposes only.

APPENDICES

Appendix 1 Len Lye Centre Financial Report

ITEM A1

ITEM FOR DECISION

LEN LYE CENTRE					RLB Rider Levett Bucknall					
EXECUTIVE SUMMARY										
Financial Report as at 17 February 2014										
COST CENTRE	BUDGET				ACTUAL					
	Contract Price <i>a</i>	Scope Adjustment <i>b</i>	Fitout Allocation <i>c</i>	Revised Budget <i>d = a + b + c</i>	Committed Cost <i>e</i>	Estimated Cost <i>f</i>	Estimated Final Cost <i>g = e + f</i>	Variance to Revised Budget <i>h = g - d</i>	Certified to date (Gross)	
A CONSTRUCTION WORKS										
A.1 Clelands - Contract works	12,437,000	0	465,000	12,902,000	12,437,000	0	12,437,000	(465,000)	1,948,808	
A.2 Provisional Sums included in Contract Price	443,739	0	0	443,739	0	258,000	258,000	(185,739)	0	
A.3 Contract Instructions/Variations				0	93,863	861,706	955,569	955,569	12,279	
SUB TOTAL	12,880,739	0	465,000	13,345,739	12,530,863	1,119,706	13,650,569	304,830	1,961,087	
B PRE-CONSTRUCTION WORKS	0	0	0	0	0	0	0	0	0	
C PROFESSIONAL FEES	2,048,038	0	0	2,048,038	2,048,038	0	2,048,038		1,976,011	
D FITOUT WORKS	750,000	0	(160,000)	590,000	0	590,000	590,000	0	0	
E CINEMA FITOUT	750,000	0	(305,000)	445,000	0	445,000	445,000	0	0	
F CONTINGENCY SUM	500,000	0	0	500,000	0	195,170	195,170	(304,830)	0	
PROJECT SPEND	GRAND TOTAL	16,928,777	0	0	16,928,777	14,578,901	2,349,876	16,928,777	0	3,937,098

NOTES:

Accepted Tender Price to Clelands: \$12,880,739

Fitout Cost is \$750,000 of which \$160,000 is payable within Clelands Contract Price, \$590,000 payable to various sub-trades eg. Lighting specialists, furniture and signage suppliers.

Cinema Fitout cost is \$750,000 of which \$305,000 is payable within Clelands Contract Price and \$445,000 payable to various sub-trades eg. Theatre seats, projection equipment/audio visual suppliers.

Contingency: \$304,830 of Contingency Sum spent to date.



FUNDRAISING FOR LEN LYE CENTRE

PREPARED BY: Cathy Thurston (Len Lye Centre Trustee)
APPROVED BY: Kinsley Sampson (Len Lye Centre Trust Chair)
WARD/COMMUNITY: District Wide
DATE: 11 March 2014
FILE REFERENCE: DM 1531274

PURPOSE

The purpose of this report is to provide an update from the Len Lye Centre Trust on fundraising to date.

EXECUTIVE SUMMARY

To date \$11.5 M has been committed for the Len Lye Centre.

RECOMMENDATION

That having considered all matters raised in the report the Len Lye Committee notes progress on fundraising as reported by the Len Lye Centre Trust.

SIGNIFICANCE ASSESSMENT

In terms of the Council's Significance Policy this matter is of:

Low significance Medium significance High significance

This matter has been assessed as low significance as the target of \$11.5M has been achieved.

BACKGROUND

At the Council meeting of 24 May 2011 the Council resolved to set up as a Council Organisation, but not a Council-Controlled Organisation, a charitable trust to help fundraise for the construction and ongoing operation of the Len Lye Centre (the 'Len Lye Centre Trust').

The Trust was established to enable donors to claim tax rebates for any financial support given and also enable the Trust to access other tax benefits available to registered charities. Following fundraising for the construction phase of the Centre, the Trust would continue to act as an important receptacle for any fundraising to supplement the ongoing operation of the Len Lye Centre. In order to fulfil its purpose the report stated that Trustees would need to be committed to actively fundraising and advocating for the Centre. Skills and backgrounds that trustees will need to possess include fundraising, communication and advocacy, highly developed relationship management practices, and an ability to form and implement a funding strategy for the Len Lye Centre.

ITEM A2**ITEM FOR DECISION**

Trustees would also need to work collaboratively and closely with council officers, the Len Lye Foundation and any other key stakeholders in the Len Lye Centre.

The Council also authorised the delegation of the two initial appointments to the Trust to the Mayor, the Chair of the Len Lye Committee, and the Chief Executive. The initial two appointments made were Kinsley Sampson as Chair and Sandra Bell, Vice President Health, Safety and Environment, HR & Group Services for Todd Corporation. Three further appointments were then made, Chris Lynch Managing Partner Staples Rodway, Garry Anderson Partner, Auld Brewer Mazengarb McEwen and Cathy Thurston General Manager Community Services NPDC.

At the Council meeting on 28 February 2013 the Council noted that \$750,000 for the cinema was excluded and the project could proceed on the basis that sponsorship funding for that item will be raised by the Len Lye Centre Trust and Len Lye Foundation. It also noted that the Council will aim to fund the fit out of moveable walls, specialised lighting and other fit out of approximately \$750,000 (if not met by any surplus tender contingency money) through the sale of Council assets (art works donated through GBAG) and, if necessary, external fund raising, with Council borrowing being the last resort. It was also noted that this did not alter the Council's external fund raising responsibility for the substitution of the underwrite of the balance of \$10 million (for the construction of the Len Lye Centre building) as pledged by the TSB Community Trust.

DISCUSSION

The Len Lye Centre Trust with the assistance of the Govett Brewster staff have been involved in a number of community engagement events and briefings. Since the last Len Lye Committee meeting on 17 September 2013 these have been as follows:

- | | |
|----------------------|--|
| 18 September: | Briefing to Len Lye Contractors |
| October | Briefing to Rivet staff |
| 30 November | Briefing to Volunteers of Puke Ariki |
| 18 December | Briefing to Egmont Lions Club |
| 27 February | BA5 for Chamber of Commerce members hosted by ABMM |
| 13 March | Briefing to the University of the Third Age |

Future fundraising

The Len Lye Centre Trust will next be meeting in mid April. Now that the full construction cost and fit out of \$11.5M has been achieved the Trust will continue its focus on providing funding for construction/fitout aspects that enhance the Centre for visitors and ongoing operations. The strategy for doing this will be considered at that meeting and an update provided at the next meeting.

ITEM FOR DECISION**ITEM A2**

There are two things in progress to report on:

- The Trust has planned to hold 6 fundraising events in New Plymouth before the Centre opens, the first was held on 30 October last year and the second is planned for early April. These have significant support from the private sector and local businesses.
- A fundraising event is being planned around the Len Lye exhibition at The Drawing Centre in New York in early May.

OPTIONS

This report is for information.

IMPLICATIONS ASSESSMENT**Local Government Purpose**

The matter comes within the scope of the Council's lawful powers, including satisfying the purpose statement in section 10 of the Local Government Act 2002. The matter will enable the Council to meet the current and future needs of communities for good quality (i.e. efficient, effective and appropriate to present and anticipated future circumstances):

Local Infrastructure Local public services Performance of regulatory function

The establishment of the Len Lye Centre Trust to raise funds for the construction and fit out of the Centre and to assist with the ongoing operating costs will ensure the Centre is most cost-effective for households and businesses.

Community Outcomes

This matter contributes to the following community outcomes:

Connected Skilled Prosperous Secure and Healthy
 Together Vibrant Sustainable

Community outcomes are the outcomes that the Council aims to achieve in meeting the current and future needs of communities for good-quality local infrastructure, local public services and performance of regulatory functions.

LTP / Annual Plan

Is this matter currently budgeted for? Yes No

The capital expenditure and revenue from external sources for the construction has been included in the Long Term Plan.

Consistency with Policy and Plans

The matter is consistent with the Council's plans and policies. The Council resolved to set up the Len Lye Centre Trust as a Council Organisation.

Legal

On 24 May 2011 the Council agreed to the establishment of a trust to support fundraising for the construction and ongoing operation of the Len Lye Centre. This was agreed to in order to incentivise potential donors (particularly individuals), who would be able to claim tax rebates for any financial support given and also enable the Trust to access other tax benefits available to registered charities.

Tangata Whenua Maori

There are no known tangata whenua considerations.

Community Views and Preferences

No community views and preferences have been sought on this report as it is an update from the Len Lye Centre trust on fundraising progress.

Risk Analysis

This report is for information.