

6. KAPUATOHE HISTORIC RESERVE: DISESTABLISHMENT OF THE MANAGEMENT COMMITTEE

General Manager responsible:	General Manager, Community Services Group, DDI 941-8534
Officer responsible:	Manager, Community Support Unit
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's recommendation to Council to agree to:
 - (a) The disestablishment of the Kapuatohe Historic Reserve Management Committee and, as a consequence, termination of the appointment of the two existing Council appointees to that Committee.
 - (b) The delegation to the Shirley/Papanui Community Board of the Council's power to appoint a representative to work and liaise with the Belfast District Museum Trust, a newly incorporated charitable trust incorporated under the Charitable Trusts Act 1957.

EXECUTIVE SUMMARY

2. Pursuant to the Management Plan prepared for the Kapuatohe Historic Reserve at Belfast, the management of the Reserve, including the Belfast Museum, has until very recently been the responsibility of the Kapuatohe Historic Reserve Management Committee.
3. The Council has, for many years, appointed two members to represent the Council on the Kapuatohe Historic Reserve Management Committee.
4. The management of the Kapuatohe Historic Reserve, and many associated matters, has been the subject of a number of seminars held by the Shirley/Papanui Community Board during the latter part of 2005 and in 2006. As a result, it has been agreed that the existing Management Plan for the Reserve, dating from 1992, will be rewritten by the Council under the Reserves Act 1977 and that the Kapuatohe Historic Reserve Management Committee will be disestablished.
5. The Transport and Greenspace Unit of the Council has now assumed responsibility for the management of the Reserve (with the exception of the Belfast Museum) in place of the Kapuatohe Historic Reserve Management Committee. Whilst the Transport and Greenspace Unit now has overall responsibility for the Reserve, there are also a number of other business units of Council involved with the Reserve. A crofter's cottage and schoolhouse building are now managed by the City Housing Unit and the Community Engagement Unit (through the Papanui Service Centre) providing administrative support on an ongoing basis.
6. The Legal Services Unit has reviewed the documents recording the establishment of the Kapuatohe Historic Reserve Management Committee and has advised that when it was established originally in 1980 it was not established as a subcommittee of the then Waimairi District Council, but rather appears to have been constituted as an unincorporated association of individuals only to which various organisations, including the Council, were to appoint representatives. Therefore the Committee will need to disestablish itself.
7. However, it is considered appropriate for the Council to officially agree to the disestablishment of the Kapuatohe Historic Reserve Management Committee and to consequently end the appointment of its two representatives on that Committee.
8. In addition, the stand-alone Belfast Museum which operates on the Reserve is to administered by the Belfast District Museum Trust, a newly incorporated charitable trust incorporated under the Charitable Trusts Act 1957.
9. The Belfast District Museum Trust has agreed that the Council could appoint a representative to act in a liaison capacity with its board. It is proposed that the Shirley/Papanui Community Board be delegated authority by the Council to appoint such a representative to work and liaise with the Belfast District Museum Board on the basis that such representative shall be a member of the Shirley/Papanui Community Board.

FINANCIAL IMPLICATIONS

10. There are no financial implications to Council in this request. No fees were payable to members for attending meetings, nor were any specific administrative costs incurred by the Papanui Service Centre in the carrying out of their agreed responsibilities; these were covered by the Management Budget for Community Engagement .

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

11. As noted in paragraph 10, there are no financial/budgetary considerations associated with the requested outcome.

LEGAL CONSIDERATIONS

Have you considered the legal implications of the issue under consideration?

12. The Legal Services Unit has reviewed the documents recording the establishment of the Kapuatohe Historic Reserve Management Committee and has advised that when it was established originally in 1980 it was not established as a subcommittee of the then Waimairi District Council, but rather appears to have been constituted as an unincorporated association of individuals only to which various organisations, including the Council, were to appoint representatives. Therefore the Committee will need to disestablish itself.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

13. Pages 94 (City Development) and 106 (Cultural and Learning Services) of the LTCCP.

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

14. As above.

ALIGNMENT WITH STRATEGIES

15. Strong Communities.

Do the recommendations align with the Council's strategies?

16. Yes.

CONSULTATION FULFILMENT

17. Discussed with the Shirley/Papanui Community Board, Council officers, and the previous Management Committee.

STAFF RECOMMENDATIONS

That the Board recommend that Council resolves to:

- (a) Agree to the disestablishment of the Kapuatohe Historic Reserve Management Committee.
- (b) Terminate the appointment of Yvonne Palmer and Myra Barry as Council representatives on the Kapuatohe Historic Reserve Management Committee consequent upon the disestablishment of that Committee with effect from the date of such disestablishment.
- (c) Agree to delegate the power of appointment to the Shirley/Papanui Community Board of a representative to liaise and work with the Belfast District Museum Trust Board from time to time, provided that such representative shall always be an elected member of the Shirley/Papanui Community Board and shall hold office at the pleasure of the Shirley/Papanui Community Board or until they shall earlier resign.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendations be adopted.