

29. SIR JOHN MCKENZIE MEMORIAL CHILDREN'S LIBRARY

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PROPOSAL/PURPOSE OF THE REPORT

The purpose of this report is to seek Council approval for a change to the popular description of the land vested in Council in trust for the Sir John McKenzie Memorial Children's Library.

EXECUTIVE SUMMARY

The Sir John McKenzie Memorial Children's Library was built in 1958 to house the children's library which was part of the Upper Riccarton War Memorial Library at that time. Land was set aside for the purpose and funds were raised by the Riccarton Rotary and others to build the building which stands on that land today. The Council is the administering body of the land which is classified as a 'Local Purpose Reserve' pursuant to the Reserves Act 1977. The tenure of the land was originally specified in the New Zealand Gazette as follows:

"Set apart as a reserve for a memorial library and vesting in Paparua County in trust for that purpose". (New Zealand Gazette 1959 (February) p289 (GN 497581))

Following the 1977 Reserves Act the land was reclassified and gazetted as:

"Local purpose (Library site)" (New Zealand Gazette 1985 (July) p2909)

The land is now vested in the City as a local purpose reserve [library site]. Note that the word "memorial" has been omitted. This omission has concerned some of the original founders for some years.

Three of the original founders of the Sir John McKenzie Memorial Children's Library have requested that the Council consider a change to the popular description of the Local Purpose Reserve classification so as to recognise and preserve the memorial nature of the library site. They request that the word "memorial" be added back into the description by which Council holds the land.

The impending construction of the new Upper Riccarton school and community library and the decision by the current voluntary Library Committee to not continue service after the new library opens, has prompted this request.

The Council's Legal Services Manager advises that this name change is possible by resolution of the Council and that such a change will not change the legal status of the land and the terms upon which the Council holds the land. It is important to note that this would be a name change only no other terms or conditions of the land tenure are affected.

In the interests, therefore, of assuring the original founders of the Council's good faith concerning this land and building we are requesting that the Council resolve to hold the land under the following designation:

- "Local purpose (Memorial library site in trust)"

STAFF RECOMMENDATION

That the Council resolves that henceforth it shall hold the land at 393 Riccarton Road owned by the Council [Res 4984 DP 19839] as "Local purpose (memorial library site in trust)".