



Kaipara te Oranganui

**KAIPARA
DISTRICT**

Two Oceans Two Harbours

Mangawhai Community Park Governance Committee Meeting Agenda

Date: Monday 7 December 2020
Time: 10.00 am
Location: Te Whai Meeting Room
Kaipara District Council Office
The Hub - 6/6 Molesworth Drive
Mangawhai

Membership: Deputy Mayor Anna Curnow (Chair)
Councillor Victoria del la Varis-Woodcock
Councillor Jonathan Larsen
Councillor Eryn Wilson-Collins
Maurice Langdon
Jim Wintle
Georgina Connolly
Mayor Dr Jason Smith

*For any queries regarding this meeting please contact
the Kaipara District Council on (09) 439 7059*

Monday, 7 December, 2020

10:00 am

Te Whai meeting room

Kaipara District Council offices

The Hub 6/6 Molesworth Drive

Mangawhai

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1.1. Karakia

1.2. Apologies

1.3. Confirmation of agenda

1.4. Conflict of interest declaration

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**Minutes of the Ordinary meeting of
Kaipara District Council**

Date: Monday 7 September 2020
Time: 10:00 a.m. - 12.05 p.m.
Location: Kaipara District Council Offices
Ground Floor Meeting Room
The Hub, 6/6 Molesworth Drive
Mangawhai

Members Present: Deputy Mayor Anna Curnow **(Chair)**
Councillor Jonathan Larsen
Councillor Victoria del la Varis-Woodcock
Councillor Eryn Wilson-Collins
Maurice Langdon (Community representative)
Jim Wintle (Friends of Mangawhai Community Park)
Mayor Dr Jason Smith

Absent: Georgina Connelly (Te Uri o Hau representative)

1. Opening

1.1 Karakia

Deputy Mayor Curnow opened the meeting with a Karakia.

1.2 Apologies

Georgina Connelly was not present at the meeting

1.3 Confirmation of agenda

The Committee to confirm the Agenda.

Moved By: Deputy Mayor Curnow

Seconded By: Cr Wilson-Collins

That the Mangawhai Community park Governance Committee:

a) confirms the agenda for the meeting held Monday 7 September 2020.

Carried

1.4 Conflict of interest declaration

Item	Conflict
Item 3.1 – Daring Ship Wreck Trust shipwreck relocation.	Jim Wintle is a member of the Mangawhai Historic Village Trust where the Daring shipwreck is proposed to be located.

2. Minutes

2.1 Confirmation of Minutes dated 8 June 2020

Moved By: J Wintle

Seconded By: M Langdon

That the Mangawhai Community Park Governance Committee:

- a) Accepts the Minutes dated 8 June 2020 as a true and accurate record with amendments:
 - 6a – insert another '0' to the figure next to St John/Fire Service to read \$30,000.00.

Carried

3. Information

3.1 Mangawhai Park Operations Report

[Secretarial note: Cr Larsen left the room at 10.50 am].

[Secretarial note: Cr Larsen re-entered the room at 10.54 am].

[Secretarial note: Jim Wintle left the meeting at 11.06 am].

Moved By: Cr del la Varis-Woodcock

Seconded By: M Langdon

That the Mangawhai Community Park Governance Committee:

- a) Notes the Parks and Recreation Manager's operations update from June 2020 to August 2020.
- b) Notes that the Daring Trust shipwreck is not a Council project and Council does not have funds to pay for or contribute to the project.
- c) Writes to the Daring Trust to emphasise that the Daring Trust must solely instigate, lead, and co-ordinate all required Council applications and related processes.
- d) Notes that the ship must not be placed on Council land (temporarily or permanently) until the full planning, application, and approval process has

been completed, with the appropriate approvals have been given by the Council.

- e) Directs Council staff to provide a report at the December 2020 meeting of the Committee on the lighting and management of fires in the park.

Carried

4. Closure

4.1 Karakia

Deputy Mayor Curnow closed the meeting with a Karakia.

The meeting closed at 12.05 pm.

Action points from this meeting:

Item	Action
3.1 – Operations report August 2020	<ul style="list-style-type: none"> ▪ Council staff to work with MAZ on safety measures for its users (Property and Parks). ▪ Council staff to report back on future governance arrangements for the Park and its various groups (Governance Advisor).

**Minutes of the Extraordinary meeting of
Mangawhai Community Park Governance Committee**

Date: Friday 13 November 2020
Time: 1:03 p.m. – 1:25 p.m.
Location: Broadcast live on Facebook

Members Present: Deputy Mayor Anna Curnow (Chair)
Councillor Victoria del la Varis-Woodcock
Councillor Eryn Wilson-Collins
Maurice Langdon
Mayor Dr Jason Smith

Apologies: Councillor Jonathan Larsen
Jim Wintle
Georgina Connolly

1. Opening

1.1 Karakia

Deputy Mayor Curnow opened the meeting with a karakia.

1.2 Apologies

Moved: Deputy Mayor Curnow

Seconded: Cr del la Varis-Woodcock

That the Mangawhai Community Park Governance Committee accept the apologies from Councillor Jonathan Larsen, Georgina Connolly and Jim Wintle.

Carried

1.3 Confirmation of agenda

Moved: Deputy Mayor Curnow

Seconded: Mayor Smith

That the Mangawhai Community Park Governance Committee confirms the agenda for the meeting held 13 November 2020.

Carried

1.4 Conflict of interest declaration

Nil.

2. Decision**2.1 Mangawhai Activity Zone Project Brief – Junior Pump Track****Moved: Mayor Smith****Seconded: Cr Wilson-Collins**

That the Mangawhai Community Park Governance Committee:

- a) Approves the Mangawhai Activity Zone Project Brief to install the Junior Pump Track

Carried**3. Closure****3.1** Deputy Mayor Curnow closed the meeting with a karakia.

The meeting closed at 1:25 p.m.

Community Park operations update – September 2020 to November 2020

Meeting: Mangawhai Community Park Governance Committee
Date of meeting: 07 December 2020
Reporting officer: Hamish Watson, Parks and Recreation Manager

Purpose/Ngā whāinga

To report to the Mangawhai Community Park Governance Committee (MCPGC) on the Operations and Capital Works programmes to support governance of the Master Plan.

Executive summary/Whakarāpopototanga

- The focus for the last quarter has been the Te Tai Tokerau Redeployment Package, now this is coming to an end staff can refocus on the agreed works plan.
- Public toilets are continuing with a building consent issued, now waiting on toilet to be built, this will likely be March for install.
- Staff are continuing to work on the wetland plan and bridge works. Engagement with NRC and Tracks Trust will be undertaken as part of this work.
- Shared path RC has been applied for in the same application as the sandhill removal, this is waiting on approval, once approved work can begin.
- Staff are continuing to work with the Historic Village to complete the works for RC and Building consent sign off.
- Staff are in the process of establishing a Traffic Impact Assessment for the Mangawhai Community Park which will support individual applications for consents within the park. This will cover normal day to day interactions for the park, not extraordinary events.

Recommendation/Ngā tūtohunga

That the Mangawhai Community Governance Committee:

- a) Notes the Community Park operations update - September 2020 to November 2020.

Context/Horopaki

The MCPGC is the body which oversees the implementation of the Mangawhai Community Park Master Plan (the Master Plan) for the Mangawhai Community Park (MCP). The revised MCP 2015/2025 Work Programme was adopted in June 2016 and amended in May 2017.

The Master Plan was developed after public consultation and feedback and adopted by Council on 25 November 2014. The Vision for the Park is:

Mangawhai Community Park will be a visible, predominantly natural, public space at the entrance to Mangawhai Heads, used (freely) by the community for recreation and enjoyment of the outdoor environment.

Discussion/Ngā kōrerorero

Health and Safety:

Previously KDC received an abatement notice for an unauthorised fire within the Park, staff were asked to look at Council's obligations and any rules for fires, as Mangawhai Community Park is not a Reserve there is nothing under Council's bylaws but it does fall under the Northland Regional Council (NRC) rules. Staff will share this information with all stakeholders through the Friends of Mangawhai Community Park Group.

▪ Rule C7.1.1 Outdoor burning outside the Whangarei airshed- permitted activity.

1. the discharge does not result in any noxious, dangerous, offensive or objectionable odour, smoke, dust, or any noxious or dangerous levels of airborne contaminants beyond the boundary of the subject property or in the coastal marine area, and
2. the only materials burnt are a) untreated wood, paper, cardboard, vegetative matter, and b) animal carcasses and offal on production land, and
3. it does not take place on an industrial or trade premises, unless burning is in an incineration device and only untreated wood, paper, cardboard and vegetative matter generated on-site are burnt, and
4. where any outdoor burning is likely to last for more than 24 hours and it is within 100 metres of a smoke-sensitive area on another property: a) the neighbouring property with the smoke-sensitive area must receive notification no less than 24 hours and no more than two weeks before the outdoor burning activity is to take place, and b) notification must: i. be in writing (which can include email or other electronic means), and ii. include: 1. a contact name and number for the person supervising the burn, and 2. details of materials to be burnt, and 3. general time the burning will commence, and 4. approximate length of time the burn will take.

Note: Prior to the lighting of any fire in open air, the fire season in the location should be checked and any necessary permit(s) obtained from Fire and Emergency New Zealand.

For the avoidance of doubt this rule covers the following RMA activities: • Discharge of a contaminant into air from outdoor burning (15(1) and s15(2A)).

Te Tai Tokerau Redeployment Package:

Work has continued with the Te Tai Tokerau Redeployment Package with all the approved tree removal complete. We are looking at budgets and the possibility of clearing the 'Mertz' site on Thelma south Road. Stage 1 planting is nearing completion with just some additional planting to be done now the last of the mulching has been completed. The last of the track clearance has been completed now. Staff have allowed budget as part of this package to cover any pest plant control that is needed over summer before planting can be completed next season.

Staff have had to apply for a resource consent (RC) with KDC and NRC to remove the sandhill, although the area is zoned rural it falls under the coastal area, so a RC is required. Staff are also working with stakeholders to look at options as this work will need to be carried out safely so investigating ways to complete this work while keeping the area open. The water tank will most likely not survive the shift so this has now been added to the sandhill removal scope. Once they have completed the sandhill work the carpark driveway concrete extension will be completed. There are also additional funds from the tree sales that can be utilised later.

- Budget spend to date for this work \$330,390 Expected spend \$760,000

Capital Works:2020-21

Description	Budget	Spend to date	Comments
Wetland development plan	\$30,000	\$5,496	Working with NRC and stakeholders to gather information
Develop area behind Fire Station/St John's	\$30,000		Ongoing
Resource Consent & Bridge above Historic Village	\$40,000	\$1,765	Ongoing
Carry over works: Urban landscape design and Traffic assessment Golf Club/Club entrance	\$31,000	\$5,879	Continued work on the Urban Landscape Design Plan
Total spend	\$131,000	\$13,140	

Note: Carry overs were approved, Financials adjusted to show new balance.

Next Quarter:

- Continue with toilet installation
- Redeveloping area behind St Johns and Fire Station
- Shared path development
- Wetland plan

Financial implications

The financial budgets are set within the Long-Term Plan (LTP) and respective Annual Plan.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Continue to implement the Works Programme and Master Plan

Project Team update September to November 2020

Meeting: Mangawhai Community Park Committee
Date of meeting: 7 December 2020
Reporting officer: Jenny Rooney, Funding Advisor

Purpose/Ngā whāinga

To seek feedback from the Mangawhai Community Park Governance Committee on a Collective Impact Framework approach which will support Governance of the Park.

Executive summary/Whakarāpopototanga

Following feedback from the Mangawhai Community Park Governance committee (MCPGC) and Friends Group, officers have met to consider a more effective way of working with stakeholders.

An MCP Project Team has been established within Council as a first step in providing a more coordinated approach. The team meets regularly with a focus on what we need to do to achieve the outcomes of the park and how can we work with stakeholders (friends) to make it happen.

A 'Collective Impact Framework' approach has been identified as a good practice which is applicable to this situation. This would put in place a backbone support structure to facilitate an effective and efficient community collaboration.

Recommendation/Ngā tūtohunga

That the Mangawhai Community Park Governance committee:

- a) Notes the Project Team update September to November 2020

Context/Horopaki

The MCPGC is the body which oversees the implementation of the Mangawhai Community Park Master Plan for the Mangawhai Community Park. The Master Plan was developed after public consultation and feedback and adopted by Council on 25 November 2014.

The Vision for the Park is:

Mangawhai Community Park will be visible, predominately natural, public space at the entrance to Mangawhai Heads, used (freely) by the community for recreation and enjoyment of the outdoor environment.

A 'Friends Group' was established which operates at a working level and has representation on the Committee. Whilst the group meets regularly and Council attends, there is a perceived and in places real disconnect between how the friends and Council operate.

Discussion/Ngā kōrerorero

Two areas of focus are being pursued:

1. How we work as a team across Council to provide timely and effective input towards the vision of the Park.
2. How Council, Stakeholders and Community work more effectively to deliver on the vision of the Park.

MCP Project Team

Council staff met to discuss the issues and a Project Team was formed which comprises of subject matter experts from across council departments.

- Jim Sephton, General Manager, Infrastructure Services
- John Burt, Property, Procurement & Commercial Manager
- Hamish Watson, Parks & Recreation Manager
- Greg Bellam, Building Services Team Leader
- Dwayne Daly, Senior Planner – Resource Consents
- Fleur Denize, Property & Commercial
- Jenny Rooney, Community & Engagement Funding Advisor
- Tracey Deane, Governance Advisor
- Zeisha Flavell, Executive Assistant

The purpose of Project team is:

- to provide guidance and support to the stakeholders within the Mangawhai Community Park to ensure the Mangawhai Community Park Master Plan vision is implemented
- to ensure the current Leases, Licence to Occupy and Lease agreements meet legislation, and that consents are up to date with compliance requirements
- provide organisations with the relevant process and procedure information when applying for Development Agreements, requesting changes within their Licenses and Lease agreements, holding events and other stakeholder issues
- to review the overall structure for the Mangawhai Community Park and provide them with a framework and support structure to ensure the vision for the Mangawhai Park is attained

Collective Impact Framework

The Collective Impact approach provides a useful framework for community change and is situated within the broad frame of collaborative efforts focused on systems and policy change ([Tamarack Institute, Canada](#)).

The Collective Impact framework contains five core conditions including the development of a common agenda; using shared measurement to understand progress; building on mutually reinforcing activities; engaging in continuous communications and providing a backbone to move the work forward.

Below are the definitions of the five core conditions:

- | | |
|---------------------------------|---|
| ▪ Common agenda | All participating organisations (government agencies, non-profits, community members, etc) have a shared vision that includes a common understanding of the goal or problem, and a joint approach to solving the problem through agreed upon actions. |
| ▪ Shared measurement system | Agreement on the ways success will be measured and reported with key indicators by all participating organisations. |
| ▪ Mutually reinforcing activity | Engagement of a diverse set of stakeholders, typically in multiple sectors, coordinating a set of differentiated activities through a mutually reinforcing plan action. |
| ▪ Continuous communication | Frequent communications ongoingly among key players, within and between organisations, and to the public to feedback progress, highlight successes, build |

- Backbone support trust and encourage ongoing learning and adaptation. Ongoing support provided by an independent staff. The backbone staff tends to play six roles to move the initiative forward: Guide vision and strategy; Support aligned activity; Establish shared measurement practices; Build public will; Advance policy; and mobilise funding.

The key points for the Committee to consider are, Council staff will:

- hold a workshop with the existing Friends Group and other stakeholders to align on the vision, masterplan and work programme
- have more regular engagement with the stakeholders so that there is less operational discussion in the Committee meeting
- establish some operating KPIs so that the joint success of the park can be measured

Risks and mitigations

Risks have been identified by the Project team and a Risk Register has been implemented to address the issues.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

- Continue with the Project team to address operational issues and provide stakeholder support.
- Review the Governance and Friends committees using a Collective Impact Framework approach.
- Provide additional council staff resource at the MCPGC and Friends meetings.

Mangawhai Community Park Governance Committee – Mangawhai Museum Daring Ship Proposal

Meeting: Mangawhai Community Park Governance Committee
Date of meeting: 7 December 2020
Reporting officer: Jenny Rooney, Funding Advisor

Purpose/Ngā whāinga

To seek Mangawhai Community Park Governance committee support for the temporary storage of the Daring ship within the Mangawhai Museum leased area.

Executive summary/Whakarāpopototanga

The decision to grant permission for a temporary shelter on the Museum's leased footprint is on the agenda for 16 December 2020 Council meeting.

Council will seek advice from the Committee as to whether the application should be rejected or accepted.

It is noted that

- There is a legal risk to Council, as the landlord with the proposal outlined in the correspondence from the Museum dated 20 November 2020. The Museum has stated they do not want to take any responsibility or be accountable whilst the Daring is stored temporarily on their leased land. However, under Property law this isn't something the Museum can do without Council agreement and subsequent approval of a variation to the Museum lease.
- The Mangawhai Community Master Plan needs to be considered when MCPGC are making decisions regarding the activities within the Park.
- A contingency plan will need to be in place for the relocation of the Daring to a permanent location, either to the Mangawhai Historic Village or an alternative location which is not situated within the Park.
- A funding plan for external funding will need to be in place and potential funders identified.

Recommendation/Ngā tūtohunga

That the Mangawhai Community Park Governance Committee

- a) Receives the report, and
- b) Recommends that Council decline the Mangawhai Museums proposal at this stage and continue to work with group, or
- c) Recommends to Council, the landlord, that they approve the Mangawhai Museum's proposal to sublet to the Daring Trust, who will erect a temporary shelter for the Daring Ship within their Leased area, subject to the conditions outlined in this report being resolved including a variation to the Museums lease.

Context/Horopaki

On 31 August 2020 The Daring Trust wrote to the Chair of Mangawhai Community Park Governance Committee requesting the committee agree in principal to the Daring being located in the Community Park.

At the Mangawhai Community Park Governance Committee meeting held on 07 September 2020 Jim Wintle, Chair of the Daring Trust, presented an overview of the proposal. At the meeting the following motion was carried, that the Mangawhai Community Park Governance committee:

- a) *notes the Daring shipwreck is not a Council project and Council does not have funds to pay for or contribute to the project.*
- b) *writes to the Daring Trust to emphasise that the Daring trust must solely instigate, lead, and co-ordinate all required Council applications and related processes.*
- c) *notes that the ship must not be placed on Council land (temporarily or permanently) until the full planning, application, and approval process has been completed, with the appropriate approvals have been given by the Council.*

On 14 September the committee received a letter from the Mangawhai Museum formally requesting permission to allow the Mangawhai Daring Trust to erect a temporary shelter for the Daring on the Museum's Licence to Occupy footprint. A copy of the letter is in **Attachment A**. The Committee needs to consider the request and make a decision to approve or decline the proposal.

As the landlords of the Mangawhai Community Park, the Council has to consider the request from the Mangawhai Museum for permission to allow The Daring Trust to erect a temporary shelter, a letter was received dated 20 November 2020 formally requesting permission. This can be found in **Attachment B**. A report detailing the proposal will be presented to the Council on 16 December 2020.

Discussion/Ngā kōrerorero

Options

- Option 1 - The Committee recommends to Council that they approve the Mangawhai Museum's proposal in the letter dated 4 November 2020 with the following conditions, that the Mangawhai Museum together with the Daring Trust:
- a) provide a viable contingency plan for the relocation of the Daring to a permanent location
 - b) provide a plan to address the policy, financial, risk and legal implications identified below
- Option 2: - The Committee recommends that Council decline the Mangawhai Museum's proposal at this stage and for staff to continue to work with the group.

There is key policy, financial, risks and legal implications associated with the two options:

Policy and planning implications

The Mangawhai Community Park Master Plan needs to be considered when decisions are made regarding the activities within the park.

The Daring Trust will need to have a contingency plan in place for an alternative permanent location of the Daring if the Mangawhai Historic Village is not deemed a suitable position within the Park.

Financial implications

The Daring Trust will need to provide a funding plan on how they propose to raise the funds from external funding sources to relocate the Daring to its permanent location. There has currently been no external funding received or applications made funding for the project

Legal Implications

The Museum stated they do not want to take any responsibility or be held accountable whilst the Daring is temporarily stored on their leased land. However, under property law this isn't something they can do without Council agreeing to and approving a variation to the Museum lease. Therefore, Council staff cannot recommend the temporary storage is approved by the Committee.

Risks and mitigations

The potential risks are the:

- Daring Trust will not be able obtain permission from the Council to relocate the Daring within the Mangawhai Historic Village License to Occupy footprint
- Daring proposal will not meet the Resource Consent conditions and therefore be unable to obtain Building Consent
- Daring Trust will not be able to raise the funds to relocate the Daring ship to its permanent location
- Mangawhai Museum and the Daring Trust would need a viable contingency plan in place to relocate the Daring elsewhere outside of the Mangawhai Community Park footprint.
- Mangawhai Museum and the Daring Trust would need a viable contingency plan in place to relocate the Daring elsewhere.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

The MCPGC recommendation will be presented to the Council for consideration at the meeting being held on 16 December 2020.

Attachments/Ngā tapiritanga

	Title
A	Mangawhai Museum Letter dated 14 September 2020
B	Mangawhai Museum letter to Council dated 20 November 2020

14 September 2020

Deputy Mayor

Anna Curnow

Chair Mangawhai Community Park Governance

Dear Anna,

We formally request your permission to allow the arrangement detailed below.

The Mangawhai Museum has been approached by the Mangawhai Daring Trust with a request to allow them to erect a temporary shelter for the Daring. This would be located on our leased land at the rear of our building and adjacent to our Café. It would comprise four containers and a temporary plastic roof between. This temporary shelter will be for a term of 12 months starting from the arrival of the ship. After this the ship will be transferred to its permanent home and the temporary structure will be removed.

We would like to support the Mangawhai Daring Trust and we hope that you will also look very favorably upon this request.

The expected arrival date of the Daring is approximately the 1st of February 2021

Yours faithfully



Joanne Naish

Chairperson

Mangawhai Museum & Historical Society Inc.

Ko te Wairua o te Mangawhai He Tangata He Tangata He Tangata

The Spirit of Mangawhai is the People, the People, the People

Charities Registration # CC10698

Kaipara District Council
Attn Jenny Rooney
Private Bag 1001
Dargaville

20 November 2020

Dear Jenny,

Re: Mangawhai Daring Trust – Temporary Storage Licence

Thank you for your letter dated 4 November 2020. I am responding on behalf of the Museum. The proposal is actually the Mangawhai Daring Trust's ("Trust") proposal. However, to answer your questions:

- The proposal was set out in our letter to the Deputy Mayor dated 14 September 2020.
- The site plan has been provided to you. Plan A is acceptable.
- The expected arrival/commencement date is 1 February 2021
- The Museum is prepared to consider an initial 12 month term with provision for 2 12 month renewals, see below.
- The request for information by 20 November is noted.

While the Museum is very supportive of the Daring coming to Mangawhai and being located on the Museum's leasehold land, the Museum does not have the resources to take on any financial or legal liability on account of the Daring project. This includes compliance with Council regulatory requirements. This is dealt with in our request for Council consent set out below.

The Museum wishes to grant the Trust a licence to occupy part of the Museum's presently unoccupied land at Molesworth Drive Mangawhai for a term of 12 months from (approximately) 1 February 2021 on terms as set out below. The licence to be in letter form, i.e. not in the form of a formal document.

The Council's consent to the licence is requested under clause 7.1 of the Museum's lease and may not be "unreasonably or arbitrarily withheld".

The Museum also seeks an acknowledgement in writing from the Council that any breach or default by the Trust under the licence or *Ko te Wairua o te Mangawhai He Tangata He Tangata He Tangata* breach of any *The Spirit of Mangawhai is the People, the People, the People*

legal obligation relating to the Trust's use and occupation of the licensed land will not be a breach of the Museum's lease from the Council. This addresses the liability issue raised above but does not mean that the Museum will not enforce the terms of the licence.

The permitted use under the licence will be storage and restoration work, and erection of a temporary shelter, consistent with the Museum's lease (clause 4.1-"operation of a museum").

The main provisions of the proposed licence are:

- Licensee- the Mangawhai Daring Trust
- Term- 12 months from February 2021, see above.
- Renewal- consideration to be given to 2 further 12 month renewals (making a total possible term of 36 months) provided the terms of the licence have been complied with and on each renewal occasion the Council's consent to the renewal is obtained.
- Licence Fee- \$1000 pa plus GST payable in advance in 1 lump sum.
- Outgoings- The Trust is to pay all costs and outgoings including utilities relating to the Trust's use and occupation of the licensed land as assessed and requested by the Museum from time to time.
- Permitted Use- The permitted use under the licence is the storage and restoration of the Daring and construction of a temporary shelter, in accordance with the risk adjustment programme attached as a schedule to the licence.
- Insurance- The Trust is to take out and maintain for the term of the licence public liability insurance, construction works risks insurance, insurance for the value of the Daring and any other insurance covers recommended by the Museum's insurance broker.
- No Liability- the Museum will have no liability for the Trust's undertaking of the permitted use or any other use of the licensed land and makes no representation that the licensed land is suitable for the Trust's intended use.
- Museum Lease- The Trust will not do or permit anything which constitutes a breach or non-observance of the Museum's lease from the Council.
- Indemnity- The Trust indemnifies the Museum for any losses, costs, liabilities or penalties incurred by the Museum arising directly or indirectly from any act or omission on the part of the Trust, its trustees, members, employees, contractors or any persons for whom the Trust is responsible.
- Costs- The Trust will pay the Museum's costs, including legal costs on a solicitor and client basis, of and incidental to any default by the Trust under this licence or default under the Museum's lease from the Council for which the Trust is responsible.
- Statutory Compliance- The Trust will comply with all relevant regulatory and statutory provisions relating to its use and occupation of part of the Museum's land and in particular will do all things required to comply with the Health and Safety at Work Act 2015.
- Other agreed provisions

If the Council wishes additional provisions to be inserted or changes made, if agreed they can be incorporated. Feedback from the Trust may of course result in changes. This letter is being copied to the Trust so that it is fully informed.

Please let me know if there is anything further you need for your report and we look forward to receiving the Council's consent and acknowledgement as requested above just as soon as possible.

Kind regards,

A handwritten signature in black ink, appearing to read 'Emma Gray', with a stylized flourish at the end.

Emma Gray

Manager

Mangawhai Museum and Historical Society Incorporated

Cc: Mangawhai Daring Trust