

The Mangawhai Museum and The Daring Trust

Proposal – Temporary Storage of Daring Ship

Meeting: Mangawhai Community Park Governance Committee
Date of meeting: 18 March 2021
Reporting officer: Jenny Rooney, Funding Advisor

Purpose | Ngā whāinga

To seek a recommendation regarding a proposal to temporarily store the Daring Ship within the Mangawhai Museum's leased area.

Executive summary | Whakarāpopototanga

The Daring Trust has presented sufficient information to seek approval to lease (temporary license to occupy) part of the Mangawhai Museum's leased land for the temporary storage of the Daring Ship. The Mangawhai Museum support the application and approach.

Staff have reviewed the information provided and confirm that there is no impediment to the Mangawhai Museum seeking this approval. The Friends of Mangawhai Community Park also support the proposal. The Mangawhai Community Park Governance Park Committee (MCPGC) has the authority to recommend to Council, so this report seeks that recommendation from the committee. If the MCPGC recommends the approach to Council, it is intended that staff will subsequently report to the March Council meeting for a decision.

Recommendation | Ngā tūtohunga

That the Mangawhai Community Park Governance Committee;

- a) Notes the information provided at Attachments A to J of this report in support of the Mangawhai Museum's proposal to provide a lease (temporary license to occupy) to the Daring Trust.
- b) Notes that this project is not funded from Council budgets.
- c) Recommends to Council that it approve the Mangawhai Museum's proposal to licence (temporary license to occupy) to the Daring Trust an area (shown at Attachment D) for the purpose of constructing a temporary shelter for the Daring Ship;
 - a. provided that the temporary license to occupy be for an initial 12 month period from 1 April 2021, with the provision for two further 12 month licence (temporary license to occupy) periods (making a possible total of 36 months) as long as the terms of the Museum lease are continued to be complied with and council consent is obtained for each right of renewal.
- d) Recommends to Council that any further licence (temporary license to occupy) approvals as described in resolution (c) above be delegated to the Mangawhai Community Park Governance Committee.

Context | Horopaki

The Daring, a two-mast schooner, was built as a cargo vessel in Mangawhai. It was wrecked twice, once in 1864, when it was stranded on the South side of the bar at the mouth of the Waikato River. It was originally reported to be a total wreck but was subsequently repaired and re-floated. On 22 February 1965, the Daring was sailing from Taranaki to the Manukau when the vessel was blown offshore of the Kaipara Heads. Attempts to keep the schooner off the beach were unsuccessful and she was left on the beach above the high tide line.

On May 2017, the remains of the wreck were spotted on Muriwai Beach, it had been uncovered by shifting sands. After obtaining council permission, the Daring was recovered on 12 December 2018 by the Daring Rescue Team in consultation with Heritage New Zealand. Items abandoned with the wreck were also uncovered, including coins and a boot. The Daring was relocated to a temporary location in Hobsonville, pending plans for its preservation and display. Due to redevelopment of the area, it now has to be removed by August 2021. The Daring Trust wish to relocate the Daring to the Mangawhai Community Park by April 2021 and complete the restoration process.

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

At the MCPGC 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 requesting permission to allow the 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**.

On 22 September 2020, council staff met with trustees from the Mangawhai Museum, Daring Trust and Mangawhai Historic Village to discuss the legal requirements, opportunities and risks associated with this proposal. A council project team which included various subject matter experts was formed to provide support to the organisations involved in this proposal primarily to navigate council processes, aligning with resolution c) of the MCPGC meeting, outlined above.

Council received a further letter dated 20 November 2020 from the Mangawhai Museum seeking permission to allow the Daring Trust to erect a temporary shelter. This can be found in **Attachment B**.

At the Friends of Mangawhai Community Park meeting held on 18 January 2021, Jim Wintle presented the Project Brief of the Daring proposal, which was met with approval by the members.

Since September 2020 there have been ongoing discussions and meetings between the Daring Trust and the council project team. The trustees have been proactive in providing information and working with the Mangawhai Museum to progress the temporary storage proposal.

In order for the Mangawhai Community Governance Committee to consider the proposal and make a recommendation to Council, the Daring Trust have provided the following additional information:

- Drawings of Proposed Temporary Daring Enclosure – **Attachment C**
- Site Plan showing temporary location - **Attachment D**
- The Daring Concept - **Attachment E**
- Funding Strategy - **Attachment F**
- Project Timeline - **Attachment G**
- Definitive Daring Financials - **Attachment H**
- Risk Adjustment Programme - **Attachment I**

At the meeting held on 10 March 2021 the Mangawhai Museum provided a copy of the letter, dated 8 March 2021, "Mangawhai Daring Trust – Temporary Storage License Molesworth Drive"

Attachment J. It was signed by the Trustees of the Mangawhai Museum Historical Society and the Mangawhai Daring Trust and sets out the terms and conditions of a temporary License to Occupy part of the Museum's presently unoccupied land as delineated on the plan attached to the letter ("Licensed Area") for a term of twelve months from 1 April 2021, or as otherwise agreed. The Museum is prepared to consider two further 12-month renewals (making a total of a possible term of 36 months), provided the terms of the licence have been complied with, and on each renewal occasion Council's consent is obtained. The letter of agreement is conditional upon obtaining the consent of the Kaipara District Council to the licence as the lessor.

It was noted by staff that in the Risk Adjustment Programme provided and included in the letter dated 8 March 2021, it stated the following clause:

"Risk Public Visitors. The public will be invited to view this ship on set days, at set times. Groups will only be allowed into the enclosure in the company of Park or Daring Trust members"

The Daring Trust has since verbally confirmed that there will be no public viewing/access. Staff will require that this clause be amended accordingly. As there is no public access, a resource consent will not be required to be obtained.

The Daring Trust has also applied for an exemption under the Building Act (2004). Staff have confirmed support for the exemption; however, it can only be issued once Council approval for the lease (temporary license to occupy) is obtained.

An extra-ordinary meeting of the Mangawhai Community Park Governance Committee has been called due to the urgency for the Daring Trust to remove the Daring Ship from its current location as soon as practicable.

Discussion | Ngā kōrerorero

Options

Option 1

The Committee recommends to Council, as the lessor, that it approves the Mangawhai Museum's proposal to lease (temporary license to occupy) to the Daring Trust for the purpose of providing a temporary storage location for the Daring ship. This is the recommended option.

Option 2

The Committee does not recommend the Mangawhai Museum's proposal at this stage and request staff continue to work with the stakeholders.

Museum Lease Implications

The Museum can license part of the leased land to the Daring Trust subject to Council's prior approval, which cannot be unreasonably withheld. However, the Museum would still need to be responsible for the performance of their obligations under their lease and would be responsible in the event of a breach by the Daring Trust. Clause 14.1 of the Museum's lease will also apply and as such any building or improvements constructed on the land will require Council's prior approval at its discretion.

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 Plan states the current and future use of the Park will only be for recreation, arts and cultural activities that do not duplicate facilities in other parts of the parks and reserves.

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

Financial implications

There are no council funds being used for this application, aside from some staff time.

The Daring Trust have provided a funding plan on how they propose to raise the funds from external funding sources to relocate the Daring Ship to a permanent location. There has currently been no external funding received or applications made for funding.

Risks and mitigations

Risks of this decision are low. This report deals with the temporary location of the Daring Ship only. Any permanent request will be treated separately.

The potential risk is if the restoration is not completed in the maximum three years. This is mitigated via the temporary license to occupy and conditions. The Mangawhai Museum and Daring Trust will also need a viable contingency plan in place to relocate the Daring Ship elsewhere outside of the Mangawhai Community Park footprint if permanent location within the park is not possible.

Significance and engagement | Hirahira me ngā whakapāpā

The decisions or matters of this report are considered to have a low degree of significance in accordance with Council's Significance and Engagement Policy. No feedback is required, and the public will be informed of Council's decision via the agenda and minutes publication of this meeting, on the website and through other channels if appropriate.

Next steps | E whaiake nei

The Mangawhai Community Park Governance Committee recommendation will be presented to the Council for consideration at the meeting being held on 31 March 2021. Staff will also request that the Chief Executive be delegated the authority to finalise the details with the parties at that meeting also.

Attachments | Ngā tapiritanga

	Title
A	Mangawhai Museum Daring Proposal letter dated 14 September 2020
B	Mangawhai Museum Temporary Storage of Daring letter dated 20 November 2020
C	Drawings of Proposed Temporary Daring Enclosure
D	Site Plan showing temporary location
E	The Daring Concept
F	Funding Strategy
G	Project Timeline
H	Definitive Daring Financials
I	Risk Adjustment Programme
J	Mangawhai Museum Temporary Storage Licence to Occupy Letter 8 March 2021