

## Central Hawke's Bay District Council – Report

**TO:** Councillors  
**FROM:** Corporate Services manager  
**DATE:** 25 June 2009  
**FILE REF:** ANN1-200  
**SUBJECT:** SPECIAL CONSULTATIVE ISSUES

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### 1.0 SUMMARY

As part of the 2009/19 Long Term Council Community Plan (LTCCP), Council took the opportunity to consult with the community on the sale of the vacant Otane Library Section, using the Special Consultative procedures laid out in the Local Government Act 2002.

The purpose of this report is to confirm by resolution, the outcome from the consultative process, of this special consultative item.

### 2.0 RECOMMENDATION

#### *THAT*

Council agrees to sell the vacant Otane Library section and to respect the wishes of the descendants of the donor by using the sale proceeds for the proposed construction of a new Waipawa Library.

### 3.0 BACKGROUND

The Otane Library site was gifted by H S Tiffen in 1883 to the Otane Town Board in Trust "to be used as a site for an Athenaeum or Literary Institute or for a Public Hall for such public purpose and under such conditions as the trustees for the time being shall deem fit".

An Athenaeum is a building dedicated to Athena, the goddess of wisdom such as academies or learned societies for individuals known for their scientific or literary attainments.

The area referred to as the Otane Library, is therefore currently subdivided into these three Lots.

Lot 1 – The Library building currently leased to a commercial occupier.

Lot 2 – The War Memorial to be vested as local purpose reserve.

Lot 3 – The Otane Library Paddock to be sold.

Because the Otane Library land was given in trust to the Otane Town Board by the Tiffen family, Section 141(1)(b) of the Local Government Act 2002 requires that

Council include in its Long Term Council Community Plan, its intention to sell the vacant land and the purpose for which the proceeds will be put.

The section also requires that we obtain comment from the successors of the original donor and allow them opportunity to comment on the intended sale.

Descendants of the Tiffen family have indicated that they believe it would be appropriate to utilise the sale proceeds for the construction of the proposed new Waipawa Library, as this library serves the needs of Otane residents and this would be in keeping with the original bequest.

Council's intentions to sell the vacant section have been included in the draft 2009/19 LTCCP, and submissions received clearly supported the allocation of the proceeds towards the proposed new Waipawa Library building.

#### **4.0 OPTION**

Council agrees to sell the vacant Otane Library section and to respect the wishes of the descendants of the donor by using the sale proceeds for the proposed construction of a new Waipawa Library.

#### **5.0 STATUTORY IMPLICATIONS**

LTCCP/Local Government Act 2002

#### **6.0 CONSULTATION**

##### **6.1 External**

Public consultation utilising the Special Consultative process

##### **6.2 Internal**

Nil

#### **7.0 FINANCIAL**

Considered as part of the 2009/19 LTCCP

Kevin Brown  
**Corporate Services Manager**