

**NOTICE IS HEREBY GIVEN THAT THE MONTHLY MEETING OF THE REGULATORY AND PLANNING COMMITTEE, WILL BE HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE, ON TUESDAY 11 APRIL 2006 AT THE CONCLUSION OF THE OPERATIONS COMMITTEE MEETING**

**Steve Parry  
CHIEF EXECUTIVE**

**5 April 2006**

## ***A G E N D A***

1. Te Roopu Taiao Update (Pages 1-9)
2. Gore Country Music Club – Hands of Fame Statue (Pages 10-15)
3. Regulatory Bulletin (Pages 16-19)

## REGULATORY AND PLANNING COMMITTEE AGENDA

APRIL 2006

### 1. TE ROOPU TAI AO UPDATE

(Memo from Planning Consultant - 31.03.06)

Te Roopu Taiao continues its quarterly hui (meetings) on matters of mutual interest to local government and tangata whenua in Southland. Cr McLennan attends on behalf of the Council, with the Council's Planning Consultant, Keith Hovell, in attendance.

The most recent hui was held on 31 March 2006. Apart from the business as usual topics, there were two matters raised at the hui that will be of interest to Councillors, one of which requires consideration and feedback from the Council.

#### **1. Queenstown Lakes District Council involvement**

The first matter is for Council's noting, and relates to the potential involvement of the Queenstown Lakes District Council in Te Roopu Taiao as a local government participant. Following various discussions between Mayor Geddes and Te Ao Marama, Te Roopu Taiao has resolved to formally invite QLDC to join Te Roopu Taiao as a first step.

If the QLDC accepts that invitation, a secondary step is likely to consider some form of contractual arrangement with Te Ao Marama for the delivery of Kaupapa Taiao services in the QLDC area, along with the possibility of the QLDC joining the other Southland Councils in signing to the Charter of Understanding.

#### **2. Heritage Register concept**

The second matter relates to the potential development of a computer based (GIS) joint Heritage Register. The original concept for a combined Heritage Register came from work being done on the review of the iwi resource management document, "Te Whakatau Kaupapa o Murihiku". Keeping all relevant data for heritage sites up to date in published documents such as "Te Whakatau Kaupapa o Murihiku" is proving to be difficult so an alternative solution is being sought. A discussion paper on the issue has been prepared and is attached.

Te Roopu Taiao at its hui resolved to endorse the project outline and refer the concept to the respective Councils and Te Ao Marama seeking their engagement into the project at least to the point where the concept was investigated, scoped, and reported back to the Councils, Te Ao Marama, and Te Roopu Taiao. All that is envisaged at this stage is to investigate the legal, technical, financial and practical feasibility of compiling such a Register.

#### **RECOMMENDATION**

**THAT the report be noted,**

**AND THAT the Council resolve to support/not support the feasibility investigation into the possible development of a Heritage Register in conjunction with the other Councils, Te Ao Marama and other interested agencies.**

## **A Central Heritage Register – concept for discussion**

At Te Whakatau Kaupapa Working Group, we discussed the placement of NZ Archaeological Assn information into the TWK review. There may be scope for that info to be held elsewhere and referred to in the TWK (this follows the new provisions in the RMA First Schedule).

The basic difficulty that is being encountered is that all of the District Plans, the Coastal Plan, the Regional Policy Statement, and Te Whakatau Kaupapa O Murihiku have lists of heritage sites and places built into them. To change those listings requires a Plan Change (except for TWK). Changes to the RMA now allow reference to an external document thus removing the need to capture long lists of data and information into the actual Plans. This now provides us with an opportunity to consider the merits of a Central Heritage Register for Southland.

After the Working Group meeting, I had a chat with Mike Skerrett about the implications of such an idea and the following is the brain dump we came up with. The details will need to be worked out and approval gained (maybe at TRT on 15 December?).

Plan for the development of a Regional or Central Heritage Register (working title) which would be an electronic register that lives outside the RMA plans and processes but is directly referred to/cross referenced into Plans, RPS, and TWK. The Register could be based a one Council's GIS with schedules to explain the details.

GIS data could include (not exclusive list):

- NZAA listings (currently being reviewed and to replace the lists in Plans we will have to undertake a Plan Change to amend or alter). This would fit the new RMA amends.
- Heritage buildings including structures such as wharves
- Places - waahi tapu, topuni, Statutory Acknowledgements, caves, tauranga waka, old gold mine sites, ship wrecks etc
- Heritage trees and outstanding areas of ecological importance (bush, QE II)
- Significant geological features
- Urupa and closed cemeteries, and memorial structures
- Mataitai, taipure, marine reserves
- Valuable wetlands (private land wetlands with agreement of owner)
- others

If the GIS database/register was available on line at one Council and accessible via the WWW with password access, we could get it developed to the point where it could go online to the public. If interactive maps were developed (say based around the SDC/ICC/GDC District Plan maps as a starting point) we could get to a point where an enquiry could gain the info on certain sites of interest by hovering the mouse over a symbol and the details behind that symbol are shown. First priority however would be for the Council staff in the four councils.

If this concept is to be a go, then we need Te Roopu Taiao to give an indication of its thinking, and then Council officers need to meet with the GIS staff to confirm feasibility. The concept then needs to go to each Council for their feedback and buy-in to the broad concept. A specific project could then be developed and if necessary a contractor brought in to pull the bulk of the idea together. A joint project would have to be inserted into the LTCCP process for each of the Councils as contributory funders. We would also need to talk to the information providers (particularly the Historic Places Trust) as the way they hold and maintain the data may assist our concept in the way it might be delivered.

Individual Council needs and expectations would also have to be met – see Terry’s comment as follows:

“I would still want the latest NZAA data set layer as it relates to the Invercargill City Council area, in house for our internal system with other relevant information that staff use here and not just on a separate external website.”



## **Southland Heritage Register**

Te kaituhi taonga tuku iho o Murihiku

### **A Discussion Paper**

#### **The issue**

Each of the local authority Resource Management documents (Regional and District Plans); Te Whakatau Kaupapa o Murihiku; the Fiordland National Park Management Plan (as being reviewed) and the proposed Park Plan for Rakiura, all deal with heritage issues and generally all use a common data set for that purpose. Changes to the Resource Management Act in 2003 have elevated heritage issues to the level of national importance.

The data sets are controlled/owned by others such as the Historic Places Trust, or the New Zealand Archaeological Association who undertake changes and updates as needed. Those changes then make the lists contained in the plans and maps out of date and expensive (and some times, torturous) Plan Changes processes are required to update the lists. Recent data updates have initiated some thinking around how the heritage issues can be managed in a smarter way. An option may be a central heritage register for Southland that can be added to over time and lives outside the regulatory documents.

The base concept was aired at the last Te Roopu Taiao hui (think piece attached) and this further report was sought.

The solution is likely to rest in a Geographic Information System (GIS) spatial map set that can be accessed initially by the main stakeholders (the Councils, DOC, HPT, NZAA, and tangata whenua) and eventually by the public, via the Web.

From the local authority perspective, such a change would provide a simple solution to the Plan updating difficulties; can utilize an existing GIS computer platform at one of the Councils (acting as a host); can assist the Councils in meeting the commitments contained in the Triennial Agreement for a shared service opportunity.

#### **What might be included?**

The think piece discussion paper presented at the last hui provided a list of heritage related topics that could eventually be included in the map set over time. There is an amount of existing data already in the various GIS systems that could be updated reasonably quickly, checked for integrity, and then applied to the new central spatial set.

In addition to the list of potential matters to be included, other topics for inclusion could include Maori Reserve land, battlefields/places, and important landscape features. Some of the older and/or closed cemeteries could be shown with their respective burial registers linked to the spatial data in some way, such as a web link to a web page held elsewhere or to the relevant Council library/office.

Each individual layer of information will take time to add to the system so the Register will be continually evolving over time. By using the data that is currently

readily available and “piloting” it onto one system will give an indication to the IT folk of any immediate technical and practical pitfalls.

It will be important to establish the status of the Register. On its own, a listing on the Register will not be the same as formal protection or a designation, although that will have to be discussed and investigated further.

The listing of a site or place on the register is intended to be a start point or a warning mechanism from which various individual sites may be referred to in a regulatory document if full protection status is needed. The level of site detail is intended to be the bare minimum to enable the enquiry to be referred onto HPT or the NZAA Filekeeper.

### **What questions/issues arise?**

The following issues and questions are more points for further discussion and decisions, or for further investigative work to be undertaken:

#### **Legal**

The spatial database would provide the source data and information for local government, Department of Conservation, and tangata whenua to use when making decisions on which sites need to have full protection. If a District Plan, in terms of Section 6(f), RMA specifies that certain sites will be protected by a formal designation, then protection, backed up by the Historic Places Act, should be able to be provided.

Section 6, RMA deals with matters of National Importance and contains a mandatory “shall recognize and provide for” obligation for all persons exercising powers and functions under the Act. Section 6(f), RMA states – “the protection of historic heritage from inappropriate subdivision, use, and development.”

In this context, “historic heritage”—

- (a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
  - (i) archaeological;
  - (ii) architectural;
  - (iii) cultural;
  - (iv) historic;
  - (v) scientific;
  - (vi) technological; and
- (b) includes—
  - (i) historic sites, structures, places, and areas; and
  - (ii) archaeological sites; and
  - (iii) sites of significance to Maori, including wahi tapu; and
  - (iv) surroundings associated with the natural and physical resources]

Obviously the first step in protecting something is knowing it's there in the first place, and that's where the database comes in. There will be a significant onus on HPT, NZAA, and tangata whenua to provide the information and attest to its accuracy. Updating the data would then be done more easily and only in one place rather than in multiple places as is currently the case.

### **Data Ownership**

The above discussion leads onto data ownership. Local government is primarily a user of the data but in some cases local government will wish to add information to the register, probably in conjunction with tangata whenua or HPT. The initial data sets of HPT and NZAA are obviously owned by those agencies and will continue to be updated by them as necessary. They will be responsible for the metadata requirements.

That means that firm relationships will have to be formed with NZAA, HPT, DOC, TRONT, and the Otago and Southland Archaeological Filekeepers.

### **Guardianship/gatekeeper role**

If the data is to reside on a single computer platform within one of the Councils, then that Council will have to assume the responsibility of gatekeeper/kaitiaki of access to the data. That responsibility could form part of the Protocol(s).

### **GIS platform/software format**

This aspect of compatible software access systems is critical. If the access to the data is to be via the WWW, arrangements will have to be made via the Protocol for easy and readily available access to the server containing the data. Similar arrangements are in place within Southland already between Councils for the likes of rating data and GEAC. The technical staff of the Councils will need to discuss issues such as licensing and access to data (no public access initially to the data on the web but can get printouts of properties and basic details from the Councils or the other agencies with access). Use requirements for each Council and the other agencies will need to be discussed and aligned.

### **Resourcing**

It is envisaged that the staff involved initially will be IT staff for the technical investigation and assessment, with the additional of some policy staff as end users. No specific budget has been included in the draft LTCCPs but could be done via submissions. Irrespective of that direct project and funding link, the proposed budgets for the 06/07 year could be used for the initial investigative phase, provided each Council and agency agrees to participate in the project. At this early stage of the investigation, it is considered important that each Council and agency provides its support and staff resources.

There may be some outside funding sources via the Lotteries Environment and Heritage Grants Scheme. Care needs to be exercised if there is to be funding sought from Lotteries as local government is not normally funded for work that may be seen as a core function of local government. However, in this case, local

government is merely acting as the facilitator for access to the data from a one-stop shop format. The working group will need to investigate this further. There may be a need for additional resources in budgets for software in the 07/08 year. Preliminary discussions with Environment Southland's IT Manager indicates that the project is technically feasible but some changes may be required to software.

Other outside funding sources may be available such as via Government, or the likes of the Community Trusts (Southland and Otago). This potential needs to be followed up.

### **Who to include?**

Because of the web-based nature of the access to the data, any of the Councils in the Otago/Southland area could be a participant. This could include (apart from the four Southland Councils) Queenstown Lakes District Council, Central Otago District Council, and Clutha District Council.

The initial informal reaction from staff at NZAA and HPT suggest that the concept is worth pursuing further and that they would be keen to participate. Similar web-based heritage register are active within the US and throughout the various states of Australia, so the idea is nothing new.

All the above points to some form of protocol being developed in a similar way to the Topoclimate protocol which considered data ownership and usage. The title of the Register (from that mentioned at the head of this report) may have to be changed if inter-regional agencies become involved.

### **Where to start?**

Environment Canterbury is currently working in the initial phases of a similar project, and there will be lessons to be learnt from their efforts. The respective IT staff may wish to discuss the various steps and processes being used by ECan to build on any synergies between the two projects. A longer-term possibility may be for a Heritage Register for Te Waipounamu by combining up the various datasets onto a single GIS platform.

From a budgeting point of view, it is suggested that the investigation phase and drafting the necessary protocol(s) be undertaken in the 06/07 year from existing policy and IT budgets. The implementation phase would likely commence in the 07/08 year after inclusion of the project in the 07/08 Annual Plan of each Council.

The steps for the investigation phase are likely to include the following steps:

- seek Te Roopu Taiao endorsement to the project outline before progressing any further;
- Report to the Councils seeking engagement in the project – via the Shared Services Forum (including those Councils from out of region), DOC, HPT, NZAA, Runanga, TRONT on the concept; and

- Form a small working group to champion the concept and to investigate the issues and feasibility around the proposal and prepare a report(s) for Te Roopu Taiao and the various agencies. A small Southland-based pilot project could be developed using the existing readily available data from say NZAA.

Ken Swinney  
Environment Southland  
March 2006

## 2. GORE COUNTRY MUSIC CLUB INC: HANDS OF FAME STATUTE

(Memo from Chief Executive – 04.04.06)

Attached is a letter received from the Chairman of the Gore Country Music Club Inc Hands of Fame Statue Committee in which commentary is provided on the arduous process to have a Hands of Fame statue erected in Gore together with a request that the Council consider taking over ownership of the new structure.

As the letter indicates, the Hands of Fame Committee would like the Council to take future ownership and responsibility for the statue as well as complete the landscaping and road alterations required by the resource consent. The Committee has also undertaken to pass on the surplus funds to enable these works to be completed. From discussions with the Chairman of the Hands of Fame Committee, Mr Murray Bruce, I understand that the Committee has approximately \$35,000 left in the kitty to complete these works.

In principle there appears to be no compelling reason why the Council should not entertain this request. As a monument erected by a local organisation to recognise an important feature of the Gore District community and economy it is arguably no different from either the trout or the Romney ram statues. Being a concrete structure, future maintenance costs are likely to be modest.

The resource consent issued for the hands of Fame structure required a narrowing of the carriageway in front of the statue to provide angle parking and a viewing platform for the taking of photos. A plan depicting what was proposed is attached to the Hands of Fame Committee's letter. Given the fact that the statue has now been in place for ten months the question that is worthy of consideration is whether some of these works are actually required. Indeed in discussing this issue with the Council's Roothing Manager, the conclusion was reached that there were no concerns from a traffic management point of view in regard to how the statue is presented to the public at present.

In light of this, and in the interests of only receiving what funds are absolutely necessary from the Hands of Fame Statue Committee, the Council may wish to consider approving the transfer of ownership and responsibility from the Hands of Fame

Committee to the Gore District Council in principle at this point. This approach would enable more detailed discussions to take place between the Council's Planning Consultant and the Hands of Fame Committee in respect of issues relating to the resource consent, and reports to be furnished by the Roothing Manager and the Parks and Recreation Manager on roading and landscaping issues. These reports will no doubt be of use to the Planning Consultant when giving consideration to the amendment of the resource consent conditions if this is so desired, as well as providing the Council with a detailed appreciation of what lies ahead before final approval for the transfer of ownership is granted.

Mr Murray Bruce, Chairman of the Hands of Fame Committee will be in attendance at the meeting to answer any queries the Councillors may have.

#### **RECOMMENDATION**

**THAT the Council approve in principle the transfer of ownership and future responsibility of the Hands of Fame statue from the Gore Country Music Club Incorporated to the Gore District Council, and that reports from the Council's Planning Consultant, Roothing Manager and Parks and Recreation Manager on outstanding resource management, roading and landscaping issues be procured before a final decision on ownership of the statue is made,**

**AND THAT the Council note that further discussions will have to be held with the Gore Country Music Club's Hands of Fame Committee to ascertain rights and responsibilities in regard to marketing, promotion and further embellishments on the statue.**

### 3. REGULATORY BULLETIN

(Memo from Chief Executive – 03.04.06)

Attached is a schedule of building consents issued for March 2006, together with comparisons with the previous two years.

Also attached are schedules of resource consents issued to 31 March 2006.

#### **RECOMMENDATION**

**THAT the information be received.**