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Report to Environment Committee
from John Holmes, Section Leader

Regional Council's Role in Heritage Management

1. Purpose

To inform the Committee of the Regional Council's role in heritage management.

2. Background

At the last Committee meeting, Councillor Gibson asked what the Regional Council's role was in heritage management, and how that role was being implemented. Councillor Gibson also asked for a list of heritage items identified in relevant Council policy documents.

3. Information

The process of identifying, assessing, protecting and managing heritage places occurs primarily through three statutes – the Conservation Act 1987, the Resource Management Act 1991, and the Historic Places Act 1993. The Local Government Act 1974 has some minor heritage provisions, but the Regional Council's role in heritage management is almost entirely contained in the Resource Management Act (RMA).

Under the RMA, the Council has a number of roles. Primarily, there is a regional policy setting role, a policy implementation role (through advocacy in relation to regionally significant heritage items), and through the consent process.

Provisions relating to heritage management were included in the Regional Policy Statement (RPS) and in the Regional Coastal Plan (RCP).

In the RPS, chapter 10 deals with heritage matters. Objective 3 specifically addresses heritage management, and Policies 5 and 6 follow on from this Objective. The Objective sets out our regional policy interest in regionally significant heritage items and places. In the explanation to the Policies, regional significance is described as referring to Category 1 items in the Register of Historic Places, Historic Areas, Waahi Tapu, and Waahi Tapu Areas (prepared by the Historic Places Trust under section 22 of the Historic Places Act 1993). A list of Category 1 items in the Wellington Region is included as Attachment 1 to this Report.

Chapter 10 identifies seven methods for implementing the heritage objective and policies (Methods 7-13 inclusive). Actions identified in the Methods have been taken, in line with the RPS Implementation programme. We have:

1. Examined the role of the Regional Council as a Heritage Protection Authority (Report 97.268, July 1997);
2. Decided against adopting the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (Report 98.280, June 1998);
3. Set up a Regional Heritage Liaison Group (in 1997), to provide a forum for heritage issues and to take part in the debate nationally about heritage management and the future of the Historic Places Trust. Once decisions had been made about the Trust, and input provided on the national debate, the Group disbanded;
4. Made submissions on Category 1 heritage items, where they have been subject to notified resource consents and associated development proposals;
5. Set up a database on the Geographic Information System mapping information about archaeological sites in the Region;
6. Managed heritage items on Council land.

During the same period, the Parliamentary Commissioner for the Environment prepared a report on heritage management in New Zealand. The Government established the Ministerial Advisory Committee (MAC) to formally review heritage management, and this Review took place during 1997-8. Four reports were presented to the Environment Committee on the Commissioner's report and the MAC Review:

- ***Report from Parliamentary Commissioner for the Environment on Historic and Cultural Heritage Management in New Zealand*** (Report 96.455, December 1996);
- ***Cultural and Historic Management Roles for the Wellington Regional Council*** (Report 97.20, February 1997)
- ***Review of Historic Heritage Management*** (Report 98.97, March 1998); and

- *Update on Reviews of Heritage Legislation and Heritage Management Responsibilities* (Report 99.41, February 1999).

The second of these reports is a comprehensive and useful document given the current enquiry about the Regional Council's role in heritage management.

One of the more important RPS Methods (Method 9) was to "investigate the need for, and prepare if necessary, a regional plan for regionally significant cultural heritage matters". The RPS Implementation Plan had identified this Method to be done in 1999, but the MAC Review of the framework for heritage management, and the possibility that regional councils might get new or altered powers through an amendment to the RMA, led us to defer this investigation.

With the change of government, the plans to amend the framework were largely dropped and we no longer expect the regional council's powers to be changed. The RMA Amendment Act that was to have dealt with the provisions returns from Select Committee scrutiny shortly. This then begs the question as to what to do about Method 9, for consideration of whether we need a regional plan for heritage matters is fundamentally a re-assessment of our role.

It would be appropriate to undertake this assessment as part of next year's RPS implementation programme. If the assessment did result in any fundamental changes to our role, these could be fed into the subsequent Long Term Financial Strategy.

As noted earlier (Point 4 in the list of actions we have taken), the Council has a policy implementation role, commenting on consents notified by the territorial authorities. For example, the Council has made submissions on applications to modify Category 1 heritage items, such as the Loft at Featherston. We also take the RPS provisions into account when undertaking our own consenting role (including recognition of the Historic Places Trust as an affected party in relation any non-notified resource consent which affects a Category 1 item).

The Regional Coastal Plan also contains heritage provisions. The Plan has policies and rules, and an appendix identifying features and buildings of historic merit within the Coastal Marine Area. A copy of the Appendix is included as Attachment 2 to this Report. The items in the list were derived primarily from the former Lambton Harbour Combined Scheme and the former Wellington Harbour Maritime Planning Scheme. As with all provisions in the Plan, the list was exposed to the full public participation process, and the final list reflects the outcome of this process.

4. **Conclusion**

The Regional Council has played a limited role in regional heritage management but the size and nature of this role was determined through the RPS. Territorial authorities have played a more significant part, both as a result of statutory responsibility and, in some cases such as Wellington City Council, by positive choice. There is scope to reconsider how actively we pursue heritage matters and this can be looked at next year.

5. **Communication**

This Report has been prepared to provide information to the Committee and no further communication is anticipated.

6. **Recommendation**

That the report be received and the contents noted.

Report prepared by:

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