

# Notified Concession Officer's Report to Decision Maker

**Officer's Report to Decision Maker:** Ian McClure, Operations Manager, Hokitika District

**Notified Application** for a Notified Lease

**Applicant:** Ross Goldfields Information and Heritage Centre Incorporated ("Ross Goldfields")

**Permission Record Number:** 57638-ACC

The purpose of this report is to provide a thorough analysis of the application within the context of the legislation, the statutory planning framework and actual and potential effects, so the Decision Maker can consider the application; and confirm that it should be notified; and make a decision in principle whether it should be granted or declined.

## 1.0 Summary of proposal

### **Background:**

Ross Goldfields has had a relationship with the Department of Conservation for over 40 years. This includes a Memorandum of Understanding and a contract for attending to the grounds in the Historic Reserve and cleaning the public toilets.

### **Information about the applicant:**

Ross Goldfields is an Incorporated Society which administers and employs staff to open the Historic Jail and De Bakkers Cottage each day and keeps them clean and tidy. The Information Centre is the first port of call for visitors wanting to walk the Historic Water Race Walkway.

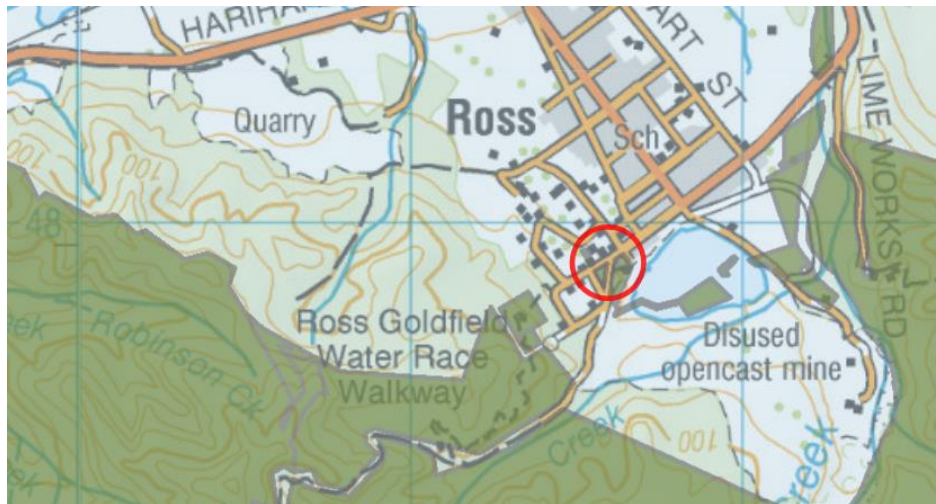
**Type of concession sought:** Notified Lease (reissue)

**Term sought:** 30 years

**Description of the proposed activity:** Lease of part Ross Goldfields Historic Reserve on which Grimmond House, De Bakkers Cottage, Jail House, toilet block and storage shed is situated. The Ross Goldfields Historic Reserve is listed with the Historical Places Trust.

### **Description of locations where activity is proposed:**

<b>Location</b>	<b>Activity</b>
Ross Goldfield Historic Reserve	Occupation of Grimmond House, De Bakkers Cottage, Jail House, Toilet block and storage shed



Permission locations (Location IDs listed above) are highlighted in yellow on the map  
Legend

- A - Grimmond House
- B - De Bakkers Cottage
- C - Jail House
- D - Toilet block
- E - Storage Shed



A copy of the application is linked to the Permissions Database and can be found here: [DOC-3055675](https://www.doc.govt.nz/permissions/permissions-database/DOC-3055675)

## 2.0 Information available for consideration

### Information received:

- From applicant - An application was received by the Hokitika Shared Service Centre on 1 June 2017. A discussion was held with the applicant as they had requested a term of 10 years. As this is an occupation of public conservation land, a lease is required. This was explained to the applicant. As a result, the term has changed to 30 years. The Applicant was also advised they would have to pay the advertising costs for the public notification to which they agreed.
- From whanau/hapu/iwi - triggers were met for consultation with Te Runanga o Makaawhio and Ngati Waewae. The response was - Ngati Waewae are happy to support this renewal of the lease and Makaawhio have indicated they have no concerns.
- From Conservation Board - triggers were met for consultation with the West Coast *Tai Poutini* Conservation Board. The response was that the Conservation Board has no issues with the renewal of the lease
- From DOC staff (including Operations, technical and legal comments) - Community Rangers from the Hokitika District Office advised that the activity has positive effects for the community and the management of the tracks in the area. It also has positive effects in providing historic information and displays to the public and engages people in learning about the history of the area.

### **3.0 Acknowledgement of complete application (s17S)**

An application is deemed complete once all information required under section 17S has been received.

COMMENT

This application is deemed to be complete for the purposes of the Act.

### **4.0 Analysis of proposal (s17T, 17U, 17V, 17W, 17X, 17Y)**

Section 17T(2) requires the Minister to decline an application within 20 working days of it being deemed complete, if “...the application does not comply or is inconsistent with the provisions of this Act or any other relevant conservation management strategy or plan...”

COMMENT

This application complies with and is consistent with Section 17 T(2). It was therefore not considered appropriate for the application to be declined within 20 working days.

#### **Public notification s17T(4):**

Section 17T(4) of the Conservation Act 1987 states that before granting a lease, or a licence with a term (including all renewals) exceeding 10 years, in respect of a conservation area, the Minister must give public notice of the intention to do so.

COMMENT

The lease must be publicly notified. Therefore, it would be advertised in the Hokitika Guardian as it is of local interest only.

#### **Analysis of Effects s17U(1) and (2):**

- Effects on conservation values and methods to manage and/or special conditions required

There are no known negative effects on conservation values as the house and activity have been in place for over 40 years.

- Effects on cultural values and methods to manage and/or special conditions required

There are no known effects on cultural values.

- Effects on existing and future users and methods to manage and/or special conditions required

There are no known effects of existing and future users. The activity enhances the historic values by showcasing the values to the wider public.

- Cumulative effects of adding this activity to current activity on site and methods to manage and/or special conditions required

There are no known cumulative effects. This activity has been going for many years and the Society have a good working relationship with the Department. Any issues arising are notified to the Department at the first opportunity.

#### **Purpose for which the land is held s(17U(3):**

The area under application is classified as historic reserve managed under the Reserves Act 1977. The Minister may not grant a concession if the proposed activity is contrary to the purpose for which the land is held (section 17U(3) Conservation Act).

Section 18(1) of the Reserves Act 1977 states that “...the appropriate provisions of this Act shall have effect, in relation to reserves classified as historic reserves for the purpose of protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest.”

COMMENT

The structures that are situated on public conservation land are Grimmond House and a garage utilised for storage. Grimmond House is used as a visitor centre, retail shop, small history museum and has a gold panning area.

It is considered that adherence to the standard and special conditions would ensure that the activity is not contrary with the purpose for which the land is held.

**Conservation General Policy**

The Conservation General Policy 2005 provides direction to activities requiring specific authorisation.

Policy 5 discusses Historical and Cultural Heritage. Places managed under conservation legislation contain a rich historical and cultural heritage. Such places provide a link between the present and the past.

Policy 11 of the CGP deals with activities requiring specific authorisation, including concessions. It states that activities should avoid, remedy or mitigate any adverse effects (including cumulative effects) and maximise any positive effects. Both the Department and concessionaires should monitor effects, including effects on public enjoyment, to inform future management decisions. Concessionaires are to be responsible for the safe conduct of their operations.

COMMENT

The Applicant has managed the Information Centre for many years. There have been no serious issues and any minor issues such as help with maintenance are discussed with the Department as and when required.

Subject to adherence to the Departments Standard Terms and Conditions of a lease and the proposed special conditions it is considered that the proposed activity would not be inconsistent with the CGP.

**Consistency with Relevant Management Strategies and Plans s17W:**

The proposed area falls within the West Coast *Te Tai o Poutini* Conservation Management Strategy (CMS)

Section 3.4.2 discusses Protection within Public Conservation Lands

Protection is the process of preventing damage to or destruction of historical or cultural heritage both by legal means and management systems.

Section 3.4.2.3 discusses Active Management of Historical and Cultural Heritage Values and Threats. Active Management is defined as *'the process of arresting or minimising deterioration/destructive process through remedial action and maintenance work'*.

The Ross Goldfields Historic Cottage and Gaol are listed as Actively Managed Historic Places in the CMS.

The Ross Goldfields are mentioned in Desired Outcomes, Section 4.2.6.7 People's benefit and enjoyment in 2020: *"The history of the Ross goldfields is the basis for interpretive themes at the small historic reserve and on the adjacent walkway. The Ross community and the Department work together to progressively improve recreational facilities, enabling people to appreciate and understand the historic themes relevant to the area."*

COMMENT

The Department regularly attends the Ross Goldfields monthly meetings and are in constant contact with the Manager of the Information Centre.

The application is consistent with the West Coast *Te Tai o Poutini* CMS. Adherence to standard terms and conditions will adequately mitigate the potential adverse effects of this activity.

## 5.0 Relevant information about the applicant

### **Convictions on any charge related to the activity applied for or on any conservation related issue:**

There are no known convictions or charges pending related to the activity applied for.

### **Past compliance with concession conditions:**

There have been no compliance issues related to the activity applied for.

### **Credit check result:**

The applicant is an existing customer and the SAP account has been checked. The account is up to date.

## 6.0 Proposed operating conditions

### **Concession Activity:**

Occupation of Grimmond House and associated storage shed on Ross Goldfields Historic Reserve.

### **Term:**

A term of 30 years is considered appropriate as it is not contrary to the Conservation Act 1987 and is consistent with other concessions of this nature.

### **Fees:**

Section 17X(f) of the Conservation Act 1987 enables the Minister to waive or reduce the activity fee where the activities result in clear benefits to the management of the areas involved; or are core educational activities (except where there is exclusive occupation), or involve public good activities (no private benefit or exclusive occupation), or are non-commercial activities.

The rationale for the fees waiver is as follows:

- Activity supports or contributes to the Department's Intermediate Outcomes;
- Educational activities (non-commercial);
- Activity will make a contribution to the management of, or public interest in, the area covered by the authorisation;
- There will be other non-commercial benefits from the authorisations.

The fee waivers have been approved by the Director Permissions, Planning and Land [DOC-3064914](#)

All of the fees have been waived, however if Ross Goldfields becomes a commercial operation, it would no longer be eligible for fee waivers and fees would need to be charged. A special condition would need to reflect this in the lease.

### **Proposed Special Condition**

- Should the day to day running of the Ross Goldfields Information and Heritage Centre become a commercial operation, the Department would be entitled to charge for activity and management fees under section 17Y(2) of the Conservation Act 1987.

### **Summary of special conditions as listed in effects assessment above: In respect to Ngāi Tahu**

1. The Concessionaire is requested to consult the relevant Papatipu Runanga ([admin@ngatiwaewae.org.nz](mailto:admin@ngatiwaewae.org.nz), [Susan.Wallace@ngaitahu.iwi.nz](mailto:Susan.Wallace@ngaitahu.iwi.nz)) if they wish to use Ngāi Tahu cultural information. If the Concessionaire wishes to use the Tōpuni or statutory acknowledgement information contained in schedules 14-108 of the Ngāi Tahu Claims Settlement Act 1998, or any Department produced interpretative material in respect to Ngāi Tahu cultural information, they are requested to notify the relevant Papatipu Rūnanga, as a matter of courtesy.
2. The Concessionaire must, as far as practicable, attend any workshops held by the Department for the purpose of providing information to concessionaires, which is to include the Ngāi Tahu values associated with Tōpuni areas.

3. The Concessionaire must ensure any persons employed by the Concessionaire are requested to recognise and provide for Ngāi Tahu values in the conduct of their activities.

#### **Didymo**

4. The Concessionaire must comply and ensure its clients comply with the Ministry for Primary Industry (MPI)'s "Check, Clean, Dry" cleaning methods to prevent the spread of didymo (*Didymosphenia geminata*) and other freshwater pests when moving between waterways. "Check, Clean, Dry" cleaning methods can be found at - <http://www.biosecurity.govt.nz/cleaning>. The Concessionaire must regularly check this website and update their precautions accordingly.

#### **Rent Review**

5. Should the day to day running of the Ross Goldfields Information and Heritage Centre become a commercial operation, the Department would be entitled to charge for activity and management fees under section 17Y(2) of the Conservation Act 1987.

### **7.0 Applicant's comments on draft Officer's Report**

It was not considered necessary to send the applicant a copy of the draft report. The special conditions remain unchanged from those included with previous authorisations.

### **8.0 Summary and Conclusions**

The application for a 30 year lease is considered to be consistent with the legislation and statutory plans and with adherence to the Standard and proposed Special Conditions, the effects on the conservation values are considered to be adequately avoided, remedied or mitigated.

## **9.0 Recommendations to decision maker**

Pursuant to the delegation dated 9 September 2015, it is recommended that the Operations Manager, Hokitika District Office:

1. Deem this application to be complete in terms of s17S of the Conservation Act 1987; and
2. Agree that if this application is approved in principle then the intention to grant the concession will be publicly notified; and
3. Approve in principle the granting of a Notified Lease concession to Ross Goldfields Information and Heritage Centre subject to the standard concession contract; and the special conditions identified in this report; and
4. Having regard to s49(1) of the Conservation Act 1987, be satisfied that any intent to grant the concession would be of local or regional interest only, in which case the publication of the public notice on this matter be limited notice in the Hokitika Guardian.

Lara Kelsen  
Permissions Advisor  
Hokitika Shared Service Centre

Date: 17 July 2017

Recommendation:

- 1 Agree/Disagree
- 2 Agree/Disagree
- 3 Approved/Declined
- 4 Agree/Disagree

Signed: \_\_\_\_\_

Ian McClure  
Operations Manager  
Hokitika District  
Western South Island Region

Date: