



**Far North
District Council**



AGENDA

Supplementary Reports

Kaikohe-Hokianga Community Board Meeting

Wednesday, 5 June 2019

Time: 10.30 am
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

Chairperson Mike Edmonds - Chairperson
Cr John Vujcich
Member Emma Davis
Member Shaun Reilly
Member Louis Toorenborg
Member Kelly van Gaalen
Member Alan Hessell

Order Of Business

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9.0 INFRASTRUCTURE AND ASSET MANAGEMENT GROUP

9.1 WANDERING WITH ANCESTORS (VENTNOR) MEMORIAL, RAWENE CEMETERY

File Number: A2499054

Author: Nina Gobie, Team Leader - Facilities Operations

Authoriser: Andy Finch, General Manager - Infrastructure and Asset Management

PURPOSE OF THE REPORT

To seek approval from the Kaikohe-Hokianga Community Board to undertake new community consultation concerning the New Zealand Chinese Association's Ventnor Memorial proposal in the Rawene Cemetery.

EXECUTIVE SUMMARY

- The original proposal 'Wandering with Ancestors Memorial', commonly known as the 'Ventnor Memorial' has had a number of changes since it was first presented to the Kaikohe-Hokianga Community Board in February 2017.
- The memorial's design, location and ownership details have changed significantly requiring new consultation with the community.
- A key change has been that Far North District Council will be responsible for the memorial's maintenance, repairs and capital renewal once construction is completed.
- Since the Kaikohe-Hokianga Community Board originally approved of the proposal, this matter is being referred back for consideration recommending that the community be consulted with again on these changes.

RECOMMENDATION

That the Kaikohe-Hokianga Community Board

Agrees that Far North District Council undertake consultation with the Rawene Community on the proposed Ventnor SS memorial in the Rawene Cemetery also known as the Walking with Ancestors Memorial'.

1) BACKGROUND

Board THAT the application of Wong Liu Sheung to have erected, at no cost to Council, a memorial at the Rawene Cemetery, be approved;

AND THAT its installation be approved subject to an exemption being obtained under Section K schedule 1 of the Building Act;

AND THAT further consultation be undertaken with the Rawene and wider community, Hapu and Iwi to ensure community support is given to the project.

During 2017, there was significant correspondence concerning this matter given the memorials uniqueness and proposed location being the Rawene Cemetery.

In early 2018, construction of the memorial started. However the contractor was required to stop work as a result of an adjacent grave being compromised while another was disturbed. It appeared that Council had not confirmed the location of the memorial or had received notification of the works commencing. The result was that this action caused a major issue for many in the Rawene and surrounding community.

In June 2018, a further proposal was received for a new location that located the memorial to the eastern side of the Rawene Cemetery. This proposal included updated architectural drawings and engineering documents.



Figure 1 Proposed image showing what the memorial may look like on site



Figure 2 Approximate location of memorial within the Rawene Cemetery

In July 2018, both a Geotechnical and an Archaeological Geomagnetic report were completed. The Archaeological Geomagnetic report found nothing of concern yet recommended monitoring the initial earthworks by a qualified archaeologist due to the site being close to the historic cemetery.

The Geotechnical Assessment recommended the use of piles to support the structure along with recommendations around the management of storm water run-off.

Between 2018 and 2019, a number of informal community meetings were held and on-going communication had with the New Zealand Chinese Association (NZCA).

In October 2018, as a result of a meeting with the Rawene Community Liaison Committee (RCLC), an email was sent to the New Zealand Chinese Association highlighting key clauses that identified roles and responsibilities that would be the foundation of a draft agreement between Council and the NZCA covering the following key aspects before, during and after the physical works commenced.

The key clauses were that Council's role was as landowner with minimal requirements, while the NZCA were the owner of the structure and therefore responsible for its construction, compliance and on-going care and maintenance.

Late October 2018, an exemption application was received by Council.

In January 2019, the assessment of the application indicated a resource consent was required. The resource consent issue was resolved by updating the draft agreement to include information pertaining to the 'event' section as the concern was about increased visitor numbers and such an impact to the environment and how best to control it.

In February 2019, the actual draft Agreement with updated details covering the concerns as raised in the application for an exemption was sent to representatives of the NZCA and it was at this stage that Council was informed in writing that the NZCA were unhappy with the content of the agreement. Their concerns were mainly:

- The level of NZCA liability
- That a partnership relationship based on common good with Council was not considered
- Rawene would be getting a local history attraction to help bring visitors to the area and that
- All the risk is placed on the NZCA and that they would be indemnifying Council if anything goes wrong.

2) DISCUSSION AND OPTIONS

COR-TEN

COR-TEN



Council has an 'Art and Memorials in Public Places' policy dated 16 March 2017. It is unclear if this policy specifically relates to the Ventnor proposal however it does state that any public art and memorials must:

- f. Become the property of the Council

The 'Cemeteries' policy dated November 2016 notes as part of its objectives:

That the community be proud of their public cemeteries and that they be managed and maintained efficiently while providing for the community's remembrance needs in an appropriate and respectful way.

The Cemeteries and Crematorium Bylaw is prescriptive of memorials as per clause '1429 Erection of Memorials' but this relates more to memorials associated with a person interned in the cemetery.

Changes

Location – the original location, when first discussed was unclear and yet construction was started in an area that was not suitable for such a structure and resulted in damaging adjacent graves. The new location is to the eastern side, rather than immediately in front of the cemetery.

Design – the actual design details of the memorial are now clear and the application for an Exemption has been approved.

Landscaping – the new design may require an element of landscaping. As per the Geotechnical report it notes that as a result of land profiling, stripping of topsoil is preferred and that little if any imported fill is used. As such, landscaping is yet to be confirmed as part of the project. If this were to be included, Council would need to consider it's responsibility in terms of ongoing maintenance and future budgetary requirements.

Consultation - due to the nature of the memorial, its historical significance, cultural significance to local hapu and its proposed placement within the Rawene Cemetery it is seen as being significant and therefore requiring further community consultation to ensure this is what the community want and Council can support financially.

Agreement - the original draft Agreement proposed that Council's role would be minimal mainly focused on reporting any concerns and / or maintenance matters to the NZCA who would resolve.

This has since changed resulting in the NZCA requesting Council be the owner once the memorial is constructed and therefore liable for all ongoing maintenance, repairs and capital renewal costs.

Reason for the recommendation

Due to the change in ownership of the memorial, clarification and confirmation of the materials proposed and the memorials location it is recommended that the community is consulted with concerning these changes to ensure council has the support of the community to proceed with confirming the Agreement with NZCA, noting that this would see Council owning the memorial once it is constructed.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

As the original draft agreement did not envisage Council being the owner, there have been no requests for requiring budget.

Initial feedback from Auckland City's Art Collection Manager Peter Tilley provided the following opinion:

- Maintenance requirements and lifespan is determined by a work's materials, structure, site, and use. Lifespan can range from five to fifty years. The lifespan of this memorial has yet to be confirmed.
- To establish maintenance costs and any areas of concern, a registered building surveyor is required.
- However, given the materials listed and the location, the proposed memorial may have a useful asset life of a couple of decades before considering renewal.
- As the memorial is mainly a static asset with no moving parts or electrical components, it is expected that the annual maintenance costs is low meaning hundreds not thousands of dollars. However the following comments must be noted:
 - The mixing of copper and COR-TEN steel, if not separated may lead to galvanic corrosion (showing as an uneven bloom of rust on the steel where they meet).
 - COR-TEN is a long lasting product. However oil, chalk, and paint and similar will stain, and apart from cold blasting (costly) these cannot be readily removed without marking. It is important to keep it clean as even gull droppings will leave streaking if left. Care must be taken with rainwater run-off as it may stain surroundings - wood and concrete in particular. In a very salty environment, the steel will eventually begin to pit and corrode unevenly.
 - If lighting were to be included especially at ground, it must be laid correctly and has an appropriate high IP rating for all components as repairing and replacing can become expensive.

Based on the information above and the possible level of vandalism it would be prudent to allow an operational budget of approximately \$10,000 annually to cover maintenance. Future renewal costs would be funded through depreciation funding in accordance with current practice. This is currently unbudgeted.

The impact on rates annually will be approximately 0.60 cents for every \$5000 operating budget required or \$1.20 for every \$10,000 required.

ATTACHMENTS

1. 2017-02-01 KHCB 06.1 Wandering with Ancestors Memorial - A2500609

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	High significance due to: <ul style="list-style-type: none"> • A change of ownership / control of a strategic asset • The proposal originally not being consistent with the Art and Memorials in Public Places policy • Considerable community interest • Potential impact on the ratepayer and a specific demographic • Change to the levels of service
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Art and Memorials in Public Places policy <ul style="list-style-type: none"> • Any Public Art and Memorials must become the property of the Council Cemeteries policy <ul style="list-style-type: none"> • That the community be proud of their public cemeteries and that they be managed and maintained efficiently while providing for the community's remembrance needs in an appropriate and respectful way Cemeteries and Crematoria Bylaw

State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	Was originally resolved by the Kaikohe-Hokianga Community Board. Recommended that it goes back to this Community Board for reconsidering their intention.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Ted Wihongi has been involved with the consultation esp. with local Hapu concerning this project since its inception.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.	Rawene Community Liaison Committee was established as part of this project and is used as a conjugate to communicate and update the local community as and when required.
State the financial implications and where budgetary provisions have been made to support this decision.	No budgetary provisions have been considered at this stage.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

Item: 6.1

MEETING: KAIKOHE HOKIANGA COMMUNITY BOARD
01 FEBRUARY 2017

Name of item: WANDERING WITH ANCESTORS MEMORIAL

Author: Mike Colebrook - Manager Facilities Operations

Date of report: 09 January 2017

Document number: A1814297

Executive Summary

The purpose of the report is to advise the Kaikohe-Hokianga Community Board of a request by Wong Liu Shueng representing the Chinese Community, to have placed on the Rawene Cemetery a Memorial Commemorating the sinking of the SS Ventnor in October 1902 and the reported burial of bones in the Rawene Cemetery (recovered from the SS Ventnor which were being repatriated to China) of Chinese men who had died whilst working in New Zealand.

Recommendation

THAT the application of Wong Liu Shueng to have erected, at no cost to Council, a memorial at the Rawene Cemetery be approved;

AND THAT its installation be approved subject to an exception being obtained under Section K schedule 1 of the Building Act;

AND THAT further consultation be undertaken with the Rawene and wider Community, Hapu and Iwi to ensure Community support is given to the project.

1) Background

In October 1902, the SS *Ventnor* sank 10 miles off the coast, south west of the Hokianga Harbour. The end result was that 13 lives were lost, and with it, the cargo of high quality coal from Westport, and the 499 bone coffin boxes holding the human remains of Chinese who had died in New Zealand. They were making their final journey to their home villages in Guangzhou province, where their descendants awaited to offer the traditional rituals each year in honour of their contribution to generation after generation who collectively make today's descendants. A small boat was commissioned to look for the ship, and most importantly the coffins, but the water where the SS *Ventnor* was in fact far far too deep.

08 April, in any year is when Chinese all over the world go to the graves of their ancestors. It is often called Grave Sweeping Day, where graves are cleared and cleaned, joss sticks are lit, messages are sent to the ancestors, food is consumed, and the ancestors become present for the living. It is a day of joy.

This date also will be the launch of **Wandering with Ancestors**, included in one of the By-way projects for the Twin Coast Discovery Route from Northland Inc. It will begin with:

Site 1 - Te Roroa Headquarters where coffins floated up at Kawerua and were re-buried by Māori and Pakeha. It is as much Māori history as it is for the Chinese.

Site 2 - Signal Station Road - to gather an overview '10 o'clock, and 10 miles at sea' where the SS *Ventnor* still lies, the Hokianga Harbour where the lifeboats came ashore over the difficult and dangerous bar that guards the harbour entrance, and the

northern beaches, where the bones came ashore and the community around Mitimiti gathered the bones and were reportedly reburied in the Rawene Cemetery.

Site 3 - Old Wharf Road - the place of the well-known photograph of the lifeboats and the local community who came to assist. The Officers, Crew and some Chinese who were accompanying the men 'home' were cared for by the community of Omapere and Opononi.

Site 4 - Hokianga Museum where there is a permanent collection given the importance of place and history of the area. While not yet confirmed, it is hoped that the objects from the *SS Ventnor* will be open for viewing for the three weeks of Ching Ming 2017. This will be organised by Te Papa.

Site 5 - Rawene Cemetery is supported by Police oral history and given to the police National Archives, FNDC archives and Police records have been unable to locate the exact location where the bones were reportedly buried in the Rawene Cemetery. However, oral history from the Mitimiti Iwi indicated the bones were gathered from the Mitimiti area, and handed over to the police. Police oral history suggests that they were buried in a shallow grave in the Rawene Cemetery with the intention that at some future date the bones would be claimed and returned to China.

Site 6 - The red gate in Mitimiti Urupa overlooks the Mitimiti beach where one can imagine the bones being washed ashore, picked up to be returned.

These 6 sites make up the **Wandering with Ancestors**.

Site 5 - The Rawene Cemetery

In October of last year approval was granted by Council for an approved archaeologist to carry out an exploratory dig to ascertain where the bones had been buried and this work was only undertaken after consultation with local hapu and the wider community.

3 sites were explored with no evidence of bones being buried at the Cemetery, but strong oral evidence points to the bones being buried at the Rawene Cemetery. However the Chinese Community still wish to proceed with placing a Memorial at the Cemetery to commemorate the names of those Chinese whose bones were being shipped and ultimately lost.

The proposed Memorial will likely to be called **Remembering the Ancestors - Chinese Māori, Pakeha. The aftermath of the sinking of the SS Ventnor in 1902**. There will be several educational boards and a short form of the story (rest on the App). For the first time in New Zealand, we will have the names of the 499 men plus 2 whole bodies, plus the 13 crew and Chinese passengers who lost their lives in the sinking.

The Chinese community understands that:

- The proposed installation at the Rawene Cemetery is a nation-wide contribution for the education of this story to all New Zealanders and tourists, as Chinese have been in NZ, since the 1860's.
- This installation differs from the two plaques, one in Te Roroa, and the other at Mitimiti where there are plaques of thanks to Māori for their care and respect of the human remains.
- This installation will have the names of the men, and will be the only place where these names will be available for viewing. This as a way to honour their ancestors and those who died at sea.
- It is intended that the memorial will help make Rawene a tourist destination.

- The site required is parallel to the fence line close to de Thierry Street and the lower edge away from any graves. This means that it will have the least amount of disruption to the rest of the cemetery. There is also parking there for buses (a consideration)
- The installation project must begin with the approval of the Far North District Council.
- The memorial will be constructed of concrete.
- There will be a place for joss sticks to be placed. A suitable place will be built into the installation to ensure their safety against a fire.
- The New Zealand Chinese Association - head office, Wellington will own the project and wish it to be in the Rawene urupa, and therefore be protected from graffiti. It is the place where we confidently say, "Somewhere in this vicinity (exact location not yet defined) are the bones of the Chinese gathered by Māori from Mitimiti beach after the sinking of the SS *Ventnor* 28th October 1902 and re buried here."

2) Discussion and options

The proposed memorial (Attachments 1, 2, 3) does not sit within any Policy that relates to Cemeteries, or Cemetery management.

This is a unique application, but we have applied Policy #5105-08 Art in a Public Place when considering its merits.

The objectives and criteria of Policy #5105-08 are: -

1. To contribute to the creation of unique identities for the towns and communities of our district - a sense of place.
2. To ensure community involvement in decision-making regarding site and art selection.
3. To provide a clear process to follow when a request to install public art is received.
4. To promote public art of excellence that inspires and challenges us to encourage art works that has relevance to their site; to the history of our district, to the environment, or cultural significance
6. To ensure public art works are well managed, maintained and promoted.

This application clearly meets these requirements.

Because the site chosen is the Rawene Cemetery and because of the diverse Cultural requirements of both the Maori and the Chinese Communities, local Hapu and Iwi, along with the local Rawene Community need to be consulted.

Although both groups were consulted prior to the archaeological dig searching for the bones of these Chinese men, further consultation should be undertaken prior to the installation of a memorial.

Due to the height and size of the sculpture, normally a Building Consent would be required, however, under Section K of schedule 1 of the Building Act, the applicant can seek an exemption, provided the installation is supervised by an Engineer who can provide PS1 and PS4 certificates certifying its design and construction in accordance with the design.

3) Financial implications and budgetary provision

There is no cost to Council for the supply and installation of the proposed Memorial however, further discussion needs to be had around the Memorial's ownership and ongoing maintenance responsibilities and costs.

4) Reason for the recommendation

Subject to the Community being consulted and Community and Iwi approval, the application be granted as it complies with Policy #5105-08 - Art in Public Places by meeting its objectives and criteria (Attachment 2).

Manager: Jacqui Robson - General Manager Infrastructure and Asset Management Group

Attachment 1: Proposed Memorial image 1 - Document number A1817373

Attachment 2: Proposed Memorial image 2 - Document number A1817376

Attachment 3: Proposed Memorial image 3 - Document number A1817377

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Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
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2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	Policy #5105-08 Art in a Public Place
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Yes, hence the need to consult with local Hapu
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Yes, hence the need for community consultation
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	Community relevance
Financial Implications and Budgetary Provision. Chief Financial Officer review.	No



Document number A1814297

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