



New Zealand
Historic Places Trust *Pouhere Taonga*

**SUSTAINABLE MANAGEMENT
OF
HISTORIC HERITAGE**

Discussion Paper No.3

HERITAGE LANDSCAPE VALUES



3 August 2007

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Sustainable Management of Historic Heritage Guidelines

Discussion Paper No.3

Heritage Landscape Values

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This discussion paper was released by the Board for public distribution on 3 August 2007.

The NZHPT acknowledges the work of Dr Janet Stephenson, Senior Lecturer, University of Otago with regard to understanding heritage landscape values. As indicated in references, this discussion paper has substantially benefited from Dr Janet Stephenson's research and experience in this topic.

The NZHPT further acknowledges the input of the New Zealand Institute of Architects Cultural Heritage Landscape Working Group in the preparation of this discussion paper.

While the NZHPT acknowledges the contribution of other agencies and organisations, the opinions and views expressed in this guide are those of the NZHPT only.

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Cover: Old Dunstan Road, Central Otago, June 2007. Photo, R McClean, NZHPT

ISSN 1178-2935 (Online)

ISSN 1178-2927 (Print)

ISBN 978-0-908577-76-7 (Online)

ISBN 978-0-908577-75-0 (Print)

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Introduction

The conservation of landscape and its associated values is one of the most significant planning issues worldwide. Landscape covers the entire environment as it is culturally perceived and used by individuals and communities – it is a landscape that is everywhere – a cultural landscape. Within the landscape there are significant places – places of importance to people for a range of reasons. These reasons, or qualities, may include archaeological, traditional, scientific, geological, technological, social, and historical values.

This discussion paper examines the landscape values associated with historic heritage – the values of places and areas. It highlights the importance of identifying those values by research and the need to recognise the environmental context of places. ‘No place is an island’, no place or area exists separate from its setting. Landscape values are relevant to heritage buildings, monuments and other historic sites. Recognising the surroundings associated with historic heritage is an important method of providing for heritage landscape values. Other important aspects covered in this discussion paper are the need to recognise heritage gardens, heritage trees, and archaeological landscapes.

The discussion paper also covers the issue of heritage landscapes. These are large areas or places containing a number of interrelated places or sites with sometimes many layers of value and history. The discussion paper attempts to define the scope of heritage landscapes and relies on formative research and guidance undertaken by Dr Janet Stephenson at Otago University.

A range of legislative methods for the identification and protection of heritage landscape values are suggested in this discussion paper. The NZHPT acknowledges that, for the most part, the current suite of legislation provides inadequate recognition of heritage landscape values. However, the legislative tools also provide scope to enable improved identification and protection of heritage landscape values by methods such as regional policy statements, district plans, covenants, structure plans, and guidelines.

This discussion paper is not the ‘last word’ on heritage landscapes values by the NZHPT. It is, however, designed to stimulate dialogue among all stakeholders: central government, local authorities, professional organisations, iwi and hapu, farmers, and property owners. It is hoped that the discussion paper will provide a basis for the development of guidance on heritage landscape values.

Introducing Heritage Landscape Values

The landscape¹ cannot be perceived outside the human experience and senses. As Tim Ingold comments, the 'landscape in short, is not a totality that you or anyone else can look at, it is rather the world in which we stand taking up a point of view on our surroundings.'² It is people who create and organise understandings of landscapes as reality and represent those understandings by representational text such as in maps or paintings. The binary between 'nature' and 'people' is socially created and often contested.

The term cultural landscape is adopted to indicate that the landscape is culturally perceived and managed. The real world of cultural landscapes is a dynamic as different social groups and multiple identities contest for ideological dominance. As David Lowenthal states:

The past is everywhere a battleground of rival attachments. In discovering, correcting elaborating, inventing and celebrating their histories, competing groups struggle to validate present goals by appealing to continuity with, or inheritance from, ancestral and other precursors. The politics of the past is no trivial academic game – it is an integral part of every people's earnest search for a heritage essential to autonomy and identity.³

All landscapes have a history or historical associations and histories of human occupation or values over time. Even the most isolated places of New Zealand have an exploration, exploitation, management or recreational history. This applies to both the land, seas, and resources such as rivers and lakes. For example, a river may have a history associated with Maori occupation and usage and also history of water catchment control beginning with a rivers control board or water catchment board. History is often expressed in the naming of places which provide markers of occupation and value. As illustrated by Paul Carter, the practice of naming new territories such as Australia enabled landscapes to be defined and possessed.⁴

The entire New Zealand islands could, therefore, be classified as a 'cultural landscape' and the regions and districts of New Zealand have a particular regional cultural identity and landscape. At the national level, the cultural landscape may be dominated by the view of New Zealand as islands in the South Pacific, ideally 'clean and green' and surrounded by the ocean, a coastal island environment and occupied by Maori, Pakeha and a growing multicultural population. At the regional level, regional cultural landscapes are marked by distinctive topography, geography, land use patterns, history and climate. For example, the perception of Taranaki is dominated by Mt Taranaki and Egmont National Park, the coastal headland, dairy farming, and the Taranaki urban settlements and landmarks. At the district or local level, cultural landscapes may involve mountain ranges, urban settlements, harbours, farmlands with their associated histories. Some regional and district cultural

¹ The term landscape in this report is adopted to be inclusive of seascapes, airspaces and other types of landscapes such as waterscapes

² Tim Ingold, 'The Temporality of the Landscape' *World Archaeology*, 25(2), 1993, p 171

³ David Lowenthal, *The Politics of the Past*, London, Allen and Unwin, 1990, p 302

⁴ Paul Carter, *The Road to Botany Bay*, Faber, London, 1987, p 58. See also Berg, L and Kearns, R. 'Naming as norming: Race, Gender and the Identity Politics of Naming Places in Aotearoa/New Zealand' *Environment and Planning D: Society and Space*, 13, 1996

landscapes may be termed 'iconic' or having a lasting impression such as the South Island High Country or the Northland Kauri forests.

Within the cultural landscape of New Zealand are places of importance to people on account of heritage values. These places form part of the historical and cultural heritage of New Zealand. Historic heritage, under the RMA means, 'those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures'. The RMA definition provides a number of contributing quantities including archaeological, architectural, cultural, historic, scientific and technological values. The RMA also provides examples such as historic sites, places, areas, sites of significance to Maori and the surroundings associated with natural and physical resources.

The historical and cultural heritage of New Zealand comprises a broad range of places and areas. It may be an isolated tramping hut in a forest park or a war memorial in a rural village. A historic place may comprise a number of buildings such as an early farming homestead or an entire street or town. The historical and cultural heritage of NZ includes places such as mountains valued by Maori such as those sacred maunga recognised under Treaty settlement legislation. A historic area contains an interrelated group of historic places which forms part of the historical and cultural heritage of New Zealand. All historic places and areas have landscape values because all places are situated in space: land, sea, or sky. Places do not exist in isolation but as part of an environment.

Heritage landscape value traditions

Cultural landscape understandings in New Zealand are founded on a range of perspectives and social and traditions. Maori cultural landscapes are fundamentally based on the concept of tangata whenua or people of the land, the landscape as an ancestor. This is a Maori geography established by traditions of mana whenua and kaitiakitanga and whakawhanaungatanga.⁵ This tradition is not limited by the binary divisions of people and the environment. Instead, Maori conceptualise their existence within the realms of the spiritual world: Ranganui (the sky) and Papatuanuku (the earth). Within this world, Maori beliefs are however dynamic in response to changes in the environment and society.⁶ For Maori, it is a heritage that is an 'every-day lived experience'.⁷

While the entire natural environment has significance for Maori, within Papatuanuku and Ranganui are places which are valued differently because of particular values or activities. These places may be sacred places or wahi tapu. The concept of a sacred place denotes the need for respect and a certain standard in usage or behavior. As Carmichael finds:

To say that a specific place is a sacred place is not simply to describe a piece of land or just locate it in a certain position in the landscape. What is known as a sacred site carries with it a whole range of rules and regulations regarding people's behavior in relation to it and implies a set of beliefs to do with the non-empirical world.⁸

⁵ Evelyn Stokes, 'Maori geography of geography of Maori, *New Zealand Geographer*, 43, 1987, p 118

⁶ Maori Marsden, *The natural world and natural resources, Maori value systems and perspectives*, Resource Management Law Reform, Working Paper No.29, MFE, Wellington, 1989

⁷ Hall, M and McArthur, S. *Heritage Management in New Zealand*, Oxford University Press, London, 1993, p 4

⁸ Carmichael, D. Hubert, J. Reeves, B. Schanche, A. *Sacred sites, sacred places*, Routledge, 1994, p 3

In addition to Maori cultural beliefs and systems, cultural landscape perspectives have been profoundly influenced by the Western enlightenment tradition and the Renaissance epistemology of thinkers such as René Descartes, Galileo, Newton and Jefferson beginning about the 17th Century. This tradition promoted the idea that 'Man' not 'God' was the centre of the universe and that reality could be observed, measured, categorised and recorded by scientific method following the ideas of Aristotle and Socrates.⁹ Within this tradition, the science of mathematical cosmography (chorography, charting, topography and geodesy) established perspectives of the World that created and ordered rational landscapes separated from people and charted according to a mathematical framework.¹⁰ These perspectives, as expressed in modern survey and cadastral landscapes, remain at the core of Western contemporary society.

Despite the dominance of the enlightenment tradition, romanticism originated in the late 18th century in Western Europe as a revolt against the rationalisation of nature. Romanticism refers to several distinct groups of artists, poets, writers, musicians and social thinkers who promoted aesthetic understandings of nature and elevated medievalism and art to promote the idea that the 'past is the key to the present' and 'Man' once again part of nature.¹¹ The Romantic Movement opposed the urbanisation of society heralded by the industrialisation revolution. As explained by Lowenthal:

Nostalgia for what was seen as ancient and stable idealised pre-industrial life and landscapes. Men confined to cities and factories were deprived of a birthright, part classical and Arcadian, part wild or rustic, whose surviving vestiges might yet restore social health if carefully husbanded.¹²

John Ruskin, William Morris and William Lethaby are some of the most influential English landscape thinkers and were at the forefront of the Romantic landscapes tradition. These thinkers were in turn profoundly influenced by poets such as William Wordsworth and landscape painters such as John Constable. Paramount among the interests of Ruskin, Morris and Lethaby were the preservation of historic buildings, retention of rural landscapes and social reform, including addressing poor 'slum' living conditions. For example, John Ruskin (1819-1900) placed high emphasis on the building as part of the beauty of nature. Within his published *Seven Lamps of Architecture*, Ruskin defined architecture as the 'art which so disposes and adorns the edifices raised by man, for whatsoever uses, that the sight of them may contribute to his mental health, power and pleasure.'¹³ Ruskin's emphasis on the visual landscape context of historic buildings and structures was influenced poets such as William Wordsworth and his love for the Lake District of England which, in his *Guide Through the District of the Lakes*, he describes the 'humble rural cottages...as if grown out of the native rock and received into the bosom of the living principle of things expressing the tranquil course of Nature, along which the inhabitants have been led for generations.'¹⁴ Ruskin described this aspect of conservation as 'picturesque values' which included ruins

⁹ Richard Tarnas, *The Passion of the Western Mind*, Ballantine Books, New York, 1991, p 35

¹⁰ Matthew Edney, 'Cartography without Progress', *Cartographica*, 30, 2-3, 1993, p 54

¹¹ William Lethaby, *Architecture, Mysticism and Myth*, The Architectural Press Ltd 1974 (first published 1891), p 2

¹² David Lowenthal, 'Natural and Cultural Heritage' *International Journal of Heritage Studies*, 11, 1, March 2005, p84

¹³ Jokiletho. Jukka, *A History of Architectural Conservation...* D.Phil Thesis, The University of York, England (downloaded: www.icomos.org), p 307

¹⁴ *ibid*, p 305

within a scenic landscape. Eventually the English preservation movement, inspired by Ruskin, influenced the first Ancient Monuments Protection Act in 1882 and this Act was amended in 1931 to ensure the protection of the surroundings associated with historic monuments by means of preservation scheme.¹⁵

In New Zealand after 1840, the organisation of the environment became rooted colonial planning systems promoted by organised settlers such as the New Zealand Company. The systematic colonisation plan inspired by Edward Gibbon Wakefield was to promote concentrated settlement in the form of towns within a country hinterland and connected to Pacific trading routes. As outlined by David Hamer the development of 'town and country' was to proceed simultaneously which enabled tracts of land near towns to become available in small quantities and at a 'sufficient price' to encourage a new settler land-owning labourer population.¹⁶ It was in the gradual development of the rural sections, that the Maori historic environment was displaced and eventually, in some areas, destroyed. Prosperity of the country was deemed to be linked with progress of town planning, survey, property marketing and land clearance.¹⁷ To hold up this process by protecting Maori sites in the landscape was deemed anti-progress, anti-prosperity.¹⁸

In many areas, Maori resisted the survey and alienation of the landscape by both private companies and the colonial government. Conflict was often triggered by the arrival of surveyors to mark out lot boundaries on disputed land, destruction of Maori gardening sites and the desecration of Maori burial sites.¹⁹

While the mechanics and determination of early colonial settlement of New Zealand left little room for idealism or conservation, the prosperity of the late 19th century provided space for a growing scenery preservation movement based on the English Romantic movement. As David Young describes, the 'Taranaki Scenery Preservation Society, founded in 1891 inspired the *Taranaki Herald* to quote the poetry of Wordsworth and Matthew Arnold...to preserve beautiful scenery, historic sites, whether public or private property.'²⁰ In addition, anthropologists/preservationists such as Elsdon Best, S. Percy Smith and William Skinner became interested in archaeological remnants of Maori society for scientific study and other societies promoted the preservation of Maori sites to feed the growing tourism industry to showcase 'Maoriland NZ.' As a result of these movements, legislation in the form of the Land Act 1892 was implemented to provide for the preservation of historic sites on Crown Land. This legislation was followed by the Scenery Preservation Act 1903. While the Scenery Preservation Act 1903 was preoccupied about 'scenery preservation', it had a strong historic sites component and many 'significant' archaeological sites (pa sites) were designated under the Act. Under this legislation, many places of significance to Maori were alienated by the Crown to achieve historic landscape preservation. Some historic reservations have since been returned to Maori, while others are currently part of claims before the Waitangi Tribunal.

¹⁵ T Rowley & M Breakell, *Planning and the Historic Environment*, Oxford University, 1975, p 20

¹⁶ Hamer. D, *New Towns in the New World*, Columbia University Press, 1990, p 111

¹⁷ Felix Wakefield, *Colonial Surveying with a view to the Disposal of Waste Land*, John W. Parker, London, 1849

¹⁸ *ibid*, pp 15-16

¹⁹ Wards. I, *The Shadow of the Land, A Study of British Policy and Racial Conflict in New Zealand, 1832-1852*, A.R. Shearer, Govt Printer, Wellington, 1968, p 245

²⁰ Young. D, *Our Islands, Our Selves A History of Conservation in New Zealand*, University of Otago Press, 2004, p 99

Contemporary cultural landscape values are profoundly influenced by the position of New Zealand as part of the global economy. Within the economy of the 'clean and green'²¹ heritage plays a critical role as cities and regions in competition (with each other and with other Pacific Rim centres) market themselves on the global stage. Heritage provides the raw material of differentiation and place promotion or otherwise termed 'cultural capital' as part of new consumption or leisure geographies.²² New Zealand is not alone in the production of cultural capital. In the United Kingdom, the Institute of Historic Building Conservation remarked:

Once upon a time a river crossing, a port, a coalfield or an iron ore deposit would provide the basis for a city's economy. In today's post-industrial world, urban regeneration depends upon finding economic drivers of very different kinds. Providing for leisure needs is one potentially big business. It can also be a key to making a place where people want to work. Today's footloose industries will settle wherever the quality of life is high enough to attract a workforce that will give firms the competitive edge. Where do people want to live? In places with character, distinctive identity and culture, among other things. Hence the economic value of heritage buildings...Hence also the scramble, won by Liverpool, to be European Capital of Culture.²³

In New Zealand, Napier (the Art Deco City), Oamaru, Invercargill, and Wanganui are some of the best examples of promoted heritage townscapes. Other places such as Wellington (Wellington waterfront and Cuba Street), Hutt City (Jackson Street) and Nelson (South Street) have smaller areas or individual buildings that play a key heritage marketing role. There are also a growing number of trails, walks and heritage venues that are tied closely to regional and national tourism and recreational circuits such as historic properties managed by the NZHPT and DOC (i.e. Otago Central Rail Trail). The 'marriage', however, between heritage and the new economic order is selective and dynamic and many types of heritage are deemed to have little economic usage or purpose.

²¹ Buhrs, T., Bartlett, R. (1993) *Environmental Policy in New Zealand, The Politics of Clean and Green?* Oxford University Press, Auckland

²² Britton, S. 'Tourism, capital and place: towards a critical geography of tourism, *Environment and Planning D*, Vol 9, 1991, pp 451-478

²³ Editorial, 'The Art of Economic Development' *Context*, Vol 80, July 2003, p 1

Heritage Landscape values: International Declarations and Guidance

There is interest and concern about heritage landscape values at an international level. The UNESCO *World Heritage Convention* (1972) and the *Operational Guidelines for the Implementation of the World Heritage Convention* (1992) promote the conservation of cultural landscapes as part of the common heritage of ‘mankind as a whole’. This means that landscapes of cultural value can be inscribed on the World Heritage List. Tongariro National Park was included in the World Heritage List in 1988 for its natural landscape values, and following changes to the *Operational Guidelines*, was recognised for its cultural values in 1993.

Following the International Charter for the Conservation and Restoration of Monuments and Sites of 1964 (the ICOMOS Charter or also known as the Venice Charter) a number of charters have gone beyond a strictly ‘monuments’ approach. For example, the ICOMOS Florence Charter of 1982 promotes the conservation of historic gardens and the Washington Charter promotes the conservation of historic towns and urban areas. In Europe, the European Landscape Convention – The Florence Convention – also promotes the integrated protection of landscapes for the entire continent.²⁴

The World Conservation Union (IUCN) promotes the protected landscapes concept in order to promote places with communities. This is explained by its Task Force Leader, Jessica Brown:

Thinking on protected areas is undergoing a fundamental shift. Whereas protected areas were once planned against people, now it is recognised that they need to be planned with local people, and often for and by them as well. Where once the emphasis was on setting places aside, we now look to develop linkages between strictly protected core areas and the areas around: economic links which benefit local people, and physical links via ecological corridors, to provide more space for species and natural processes.²⁵

The protected landscapes concept had its origins in the “Lake District Declaration” of October 1987, as signed by participants at the International Symposium on Protected Landscapes.

Five years later, the IUCN published *Protected Landscapes: A Guide for Policy-Makers and Planners*. This defined the purpose of a “Protected Landscape or Seascape” (IUCN Category V Protected Area) as being one recognised:

To maintain nationally significant natural landscapes which are characteristic of the harmonious interaction of people and land, while providing

²⁴ For an overview of European approaches to heritage landscapes, see *Conservation Bulletin, A Bulletin of the Historic Environment*, Issue 50, Autumn 2005

²⁵ J. Brown ‘Science and Management: Protected Landscapes Taskforce’ 25 October 2006: <http://www.iucn.org/themes/wcpa/theme/landscapes/landscapes.html> , p 1

opportunities for public enjoyment through recreation and tourism within the normal life-style and economic activity of these areas.²⁶

This was slightly modified by the IUCN, when streamlining its protected area categorisation in 1994, to read:

Protected landscapes are an area of land, with coast and sea as appropriate, where the interaction of people and nature over time has produced an area of distinct character with significant aesthetic, ecological and/or cultural value, and often with high biological diversity. Safeguarding the integrity of this traditional interaction is vital to the protection, maintenance and evolution of such an area.²⁷

The intention is that such areas are concerned with people and the environment, and a range of natural and cultural values. The concept recognises the interaction between people and nature, and seeks to maintain both environmental and cultural values of areas so designated. It is consistent with both a new approach to protected area management involving greater recognition of community interest and participation, and the inclusion of cultural landscapes as a designation under the World Heritage Convention. The latter itself also recognises the interaction between humankind and the natural environment, but the difference is arguably in the fact that while *Cultural* Landscapes tends to emphasise the human element, *Protected* Landscapes emphasises natural features more.

The World Heritage Convention recognises three kinds of cultural landscape, specifically:²⁸

- Landscapes designed and created intentionally by people (e.g. botanic gardens, urban parks).
- Organically evolved landscapes, including fossil (evolutionary process ceased) and continuing (evolution process ongoing), involving natural and human-induced processes, but in which the latter are clearly dominant.
- Associative cultural landscapes (in which religion, art, or culture has a strong association with the natural features).

By contrast, the following management principles are at the heart of the protected landscapes concept:²⁹

- Conserving landscape, biodiversity and cultural values.
- Focussing on the point of interaction between people and nature.
- Seeing people as stewards of the landscape.
- Management with, through, for and by local people.

²⁶ P.H.C. Lucas, *Protected Landscapes: A Guide for Policy Makers and Planners*, London, Chapman and Hall, 1992, p 5

²⁷ A. Phillips, *Management Guidelines for IUCN Category V Protected Areas: Protected Landscapes/Seascapes*, Cambridge, IUCN Publications Unit, 2002, p 9

²⁸ *ibid*, p 28

²⁹ *ibid*, pp 39-42

- Co-operative approaches, such as co-management and multi-stakeholder equity.
- A supportive political and economic environment.
- Concern with protection and enhancement.
- Priority given to retaining special qualities of the area.
- Locating activities not needing to take place within the protected landscape outside of it.
- Business-like and professional management.
- Flexible and adaptive management.
- Measurement of success in environmental and social terms.

In practice, the protected landscapes concept is a principally European-developed one. That is because in contrast to many parts of the world such as New Zealand, a number of European countries lack certainly extensive areas in which strong human influence of some kind, past or present, is not evident. In the United Kingdom, for instance, the 143, 830 hectares Peak District National Park has experienced human influences over 100,000 years, has a resident population of 38,000 within its boundaries (of which over 12,500 work there), has 15.7 million people within an hours drive of the park, and experiences 22 million visitors per year.³⁰ The park and its surrounding areas are effectively managed by a relatively centralised and highly integrated planning system, involving national, regional and local authorities, both resource protection-specific and resource management-oriented.

When reporting on its investigation into the Peak District in April 2003, the Office of the Parliamentary Commissioner for the Environment drew careful attention to cultural differences. The relatively centralised English planning system, genuine cultural acceptance of foregoing economic opportunity in the interests of landscape protection and the fact that the district has a long, continuous history of human habitation obviously contrasts strongly with New Zealand's relatively decentralised planning system under the RMA, strong ethic of private property rights, and fact that it can and does set aside over 30 per cent of the country in a protected areas network largely devoid of human influence or presence.³¹ The concept is, however, an international one that affords a significant degree of variation to suit national conditions.

The Natchitoches Declaration on Heritage Landscapes, adopted 27 March 2004 (at the United States/International Council on Monuments and Sites (ICOMOS) International Symposium at Natchitoches, Louisiana, USA), seeks to establish a degree of common ground between the World Heritage Convention and IUCN-developed concepts. It recognises that ICOMOS and IUCN should collaborate more closely over the concept of heritage landscapes, recognising that natural and cultural values are converging, their separation for too long

³⁰ Office of the Parliamentary Commissioner for the Environment, *Superb or Suburb? International Case Studies in Management of Icon Landscapes*, Wellington: Office of the Parliamentary Commissioner for the Environment, 2003, p 42

³¹ Ibid, p 56

hindering, rather than facilitating effective landscape protection.³² This declaration states that heritage landscapes are:

Unique places that are the prime expression of the richness of the world and the diversity of its culture. Actions to deepen the understanding of the complexity of heritage landscapes, whether productive, commemorative, inspirational, rural or urban, countryside, seascapes, cityscapes, industrial landscapes, routes, or linear corridors, are needed at the international, national and regional levels.

The Natchitoches Declaration provides a number of strategies to promote the conservation of heritage landscapes including the need to:

- Pursue interdisciplinary approaches within the cultural heritage field.
- Pursue global theme studies of landscape typologies.
- Strengthen international collaboration.
- Respond to multiple and pervasive threats such as agriculture change, tourism, and catastrophic events.
- Engage communities and promote community-based processes in the planning and management of heritage landscapes.
- Promote national and international cooperation and sustainable approaches to heritage landscape conservation.

Recently, ICOMOS has issued the Xi'an Declaration on the Conservation of the Setting of Heritage Structures, Sites and Areas.³³ In addition to acknowledging the setting of particular structures and sites, this declaration also promotes the significance of landscapes as part of protecting the setting of areas:

Heritage structures, sites or areas of various scales, including individual buildings or designed spaces, historic cities or urban landscapes, landscapes, seascape, cultural routes and archaeological sites, derive their significance and distinctive character from their perceived social and spiritual, historic, artistic, aesthetic, natural, scientific, or other cultural values. They also derive their significance and distinctive character from their meaningful relationships with their physical, visual, spiritual and other cultural context and settings.

The Xi'an Declaration promotes the definition of a setting according to an understanding of the history, evolution and character of the surrounds of a heritage resource. In addition to defining a setting, the declaration states that legislation, regulation and guidelines should provide for the establishment of buffer zones to ensure the conservation of the significance and distinctive character of the setting. The buffer zone should be designed to control incremental or rapid change on settings and this will involve identifying significant skylines, sight lines and adequate distances between development and heritage structures, sites and areas.

In the United Kingdom, historic landscape characterisation has emerged as a major national programme. The general aim of historic landscape characterisation is to identify the character of distinctive historic dimensions in contemporary urban and rural

³² Natchitoches Declaration on Heritage Landscapes, 27 March 2004:

http://www.icomos.org.us/icomos/Symposium/SYMP04/Natchitoches_Declaration.htm

³³ <http://www.international.icomos.org/xian2005/xian-declaration.htm>

environments.³⁴ The guiding principles of historic landscape characterisation emphasise present-day landscape, using area data, covering all aspects of the landscape, perception, management of change and integration (see text box below).

Guiding principles for Historic Landscape Characterisation (UK)³⁵

Present not past: it is the present-day landscape that is the main object of study. Landscape as history not geography; the most important characteristic of the landscape is its time-depth; change and earlier landscapes exist in the present landscape.

Landscape not sites: historic landscape characterisation-based research and understanding are concerned with area not point data.

All aspects of the landscape: no matter how modern, are treated as part of landscape character, not just 'special' areas.

Natural landscapes: semi-natural and living features (wooland, landcover, hedges, etc) are as much a part of landscape character as archaeological features; human landscape – biodiversity is a cultural phenomenon.

Perception: characterisation of landscape is a matter of interpretation not record, perception not facts; understand 'landscape' as an idea, not purely as an objective thing.

People's views: it is important to consider collective and public perceptions of landscape alongside more expert views.

Change management: landscape is and always has been dynamic: management of change, not preservation is the aim.

Transparency: the process of characterisation should be transparent, with clearly articulated records of data sources and methods used.

Accessibility: historic landscape characterisation maps should be easy to understand, jargon free and easily accessible to users.

Integrated: historic landscape characterisation should be integrated into other environmental and heritage management records.

The historic landscape characterisation technique basically aims to achieve the systematic identification and description of the landscape using a number of common sources. The key information attributes include:

- Current land use
- Past land use
- Field morphology (size, shape, group patterns)
- Boundary types

³⁴ Jo Clark, John Darlington & Graham Fairclough, *Using Historic Landscape Characterisation*, English Heritage and Lancashire County Council, 2004, p 6

³⁵ Adapted from Jo Clark, John Darlington & Graham Fairclough, *Using Historic Landscape Characterisation*, English Heritage and Lancashire County Council, 2004, p 6

- Distribution and types of other resources (e.g. woodland, water)
- Distribution and types of buildings
- Place names and earliest references
- Settlement types and patterns
- Archaeological and historic sites
- Modern land use and thematic mapping
- Geological, soil, hydrological and topographical mapping
- Comprehensive historic mapping
- Selected historic mapping
- Aerial photographs
- Documentary sources
- Other research

On completion of the data gathering phase, the information is used to establish landscape character types of similar land use history. Broad landscape character types include unimproved land, enclosed land, woodland, industrial land, military, ornamental and recreational, settlements, orchards, communications, water and valley floor and water bodies.³⁶

The main product of historic landscape characterisation is a character map in GIS format. In the case of studies such as Cornwall's historic landscape, descriptions of each character type or zone included information such as principal historical associations, typical historical and archaeological components, rarity, survival, typical values and perceptions and forces for change with recommendations.³⁷

Since the beginnings of systematic historic landscape characterisation in 1994, the technique has emerged as a major element in strategic regional planning and has provided key information for projects such as the M11 Corridor, Milton Keynes structure plan, and the Thames Gateway strategic plan.³⁸

³⁶ *ibid*, p 8

³⁷ *ibid*, p 10

³⁸ For an overview, see special characterisation issue of *Conservation bulletin*, English Heritage, Issue 47, Winter, 2004-05

Overview of Heritage Landscape Values and Heritage Landscapes

Heritage landscape values associated with historic places and areas

Heritage landscape values comprise the contextual environmental or geographic aspects of historic and cultural values. For example, a historic house may be associated with a well-known or important individual or family. The heritage landscape values of the historic house may, in terms of history, be associated with the individual or family in the history of the surrounding town or countryside: places where the individual or family worked, went to school, went to church, went shopping or visited for outings. In other words, heritage values are not limited by the four walls of a house, but by the individual or family histories in their lived and shared environment.

Historic places and areas may include sites or places without buildings or structures. Instead of physical values, a historic site may be associated with an important event in local, regional or national history, or has commemorative values. For example a tree may be considered a historic place because of the commemorative or aesthetic values associated with the tree or because the site is sacred to Maori. Other examples include memorials, battle sites, tauranga waka (canoe landing sites), archaeological sites, whaling stations, and historic roads.

In the process of listing or registration of a place or area, heritage landscape values should be recognised and identified. For many places, it may be simply recognising that the building or site makes a contribution towards a wider physical townscape or rural environment. Other places will require detailed research and investigation about the place in its social and historical environment.

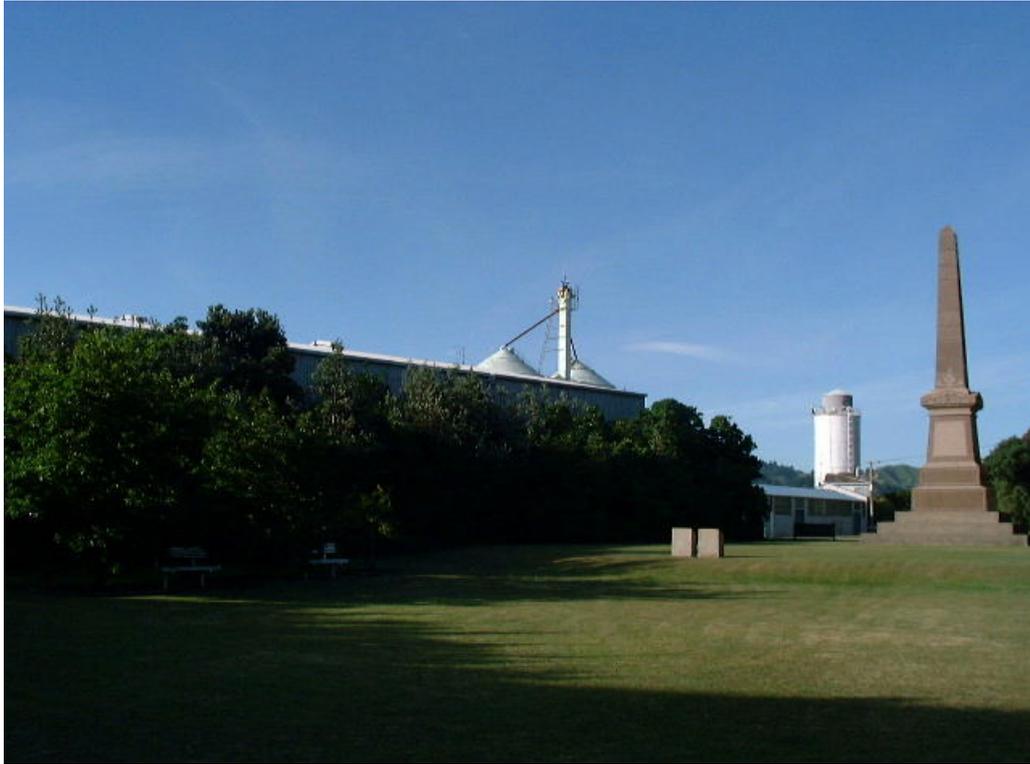
The surroundings associated with historic heritage

There is widespread concern that the surroundings associated with historic heritage are being compromised by development and land use. As illustrated by the National Trust in Australia with regard to the loss of the surroundings associated with Tempe House:

Tempe House is a John Verge designed house built by Scottish immigrant Alexander Brodie Spark in 1836 and named after the 'Vale of Tempe', a valley in Greek legend set at the foot of Mt Olympus. Spark created his own Mt Olympus to set off the house, which was sketched and painted by noted colonial artists...Tempe has now joined other Verge houses, *Elizabeth Bay House, Lyndhurst, Tusculum, Rose Bay Lodge, Rockwall, Toxteth Park and Barham*, in losing its setting. Its backdrop now is a series of high rise buildings dominating what is left of Mt Olympus and its trees, and compromising the scale of the original setting.³⁹

³⁹ Jacqui Goddard and Graham Quint, 'Context, Setting & Cultural and Natural Landscapes' *National Trust*, Autumn 2007, p 12

In New Zealand, the loss of the surroundings associated with Cooks Landing Site in Gisborne has been a matter of local and national concern for over 50 years. Cooks Landing Site is the first point of contact on land between Maori and pakeha and is designated as a National Historic Reserve. The landing site was separated from the sea in the 1950s as a result of expansion of Gisborne Port and its associated harbour reclamation. Today port-related buildings surround the site and views to the sea can be obscured by piles of logs and woodchips.



Cooks Landing Site, Gisborne. Photo, R McClean, October 2005.

An additional example is the Church of the Good Shepherd at Tekapo. This church is considered to be one of the most photographed buildings in New Zealand. The church features prominently in national and international tourism destination marketing and promotion.⁴⁰ The small church congregation, however, struggles to manage visitor numbers, demand for weddings, and the wider landscape associated with the church such as bus and car parking and rubbish disposal. The Church of the Good Shepherd at Tekapo highlights the wider contextual issues about heritage landscape values and the inadequacy of current planning law to manage changes to natural, historic and cultural landscapes.

Concern about the loss of setting has promoted landscape values known as heritage curtilages. The word curtilage derives from an Old French word *courtillage* and referred to

⁴⁰ For example, Air New Zealand, 'Tekapo', *Kia ora* (Air New Zealand in-flight magazine), May 2007

an enclosure that surrounded a dwelling or house.⁴¹ In Australia, the Full Bench of the High Court of Australia in 1955 defined a curtilage as a:

Larger area of land [than the footprint of the building] which subserves the purposes of the building. The land surrounds the building because it actually or supposedly contributes to the enjoyment of the building or the fulfilment of its purposes...[In deciding on a curtilage] one would do one's best to fix on an area of land which is seen to comprise all that is really devoted to the better use or enjoyment of the house as a dwelling.⁴²

Since this 1955 High Court judgment, Australia – New South Wales/Victoria in particular – have developed guidelines on defining and assessing heritage curtilage. In 1996, the NSW Heritage Office defined heritage curtilage as meaning the 'area of land surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance. It can apply to land which is integral to the heritage significance of items of the built heritage, or a precinct which includes buildings, works, relics, trees or places and their setting.'⁴³

The NSW Heritage Office provides four general principles for the identification and management of heritage curtilages:

- Has the significance of the original relationship of the heritage item to its site and locality been conserved?
- Has an adequate setting for the heritage item been provided, enabling its heritage significance to be maintained?
- Have adequate visual catchments or corridors been provided to the heritage item from major viewing points and from the item to outside elements with which it has important visual or function relationships?
- Are buffer areas required to screen the heritage item from visually unsympathetic development or to provide protection from vibration, traffic, noise, pollution, or vandalism?⁴⁴

These principles provide guidance to ensure the surroundings associated with historic places and areas is more fully recognised by both identification strategies and protection. Assessing the impact of changes to surroundings requires careful evaluation and research.

⁴¹ J.B. Sykes, *The Concise Oxford Dictionary*, Oxford, Clarendon Press, 1988, p 234

⁴² See, *Royal Sydney Golf Club v Federal Commissioner of Taxation*, 1955, High Court of Australia, 51.610, p 626

⁴³ Department of Urban Affairs and Planning, *Heritage Curtilages*, Heritage Office, NSW, 1996, p 3

⁴⁴ Adapted from: Department of Urban Affairs and Planning, *Heritage Curtilages*, Heritage Office, NSW, 1996, p 10

Identification and conservation of designed landscapes and gardens

Designed landscapes are places designed and created intentionally by people. They include gardens, parks, cemeteries, avenues and individual trees. Designed landscapes may be significant because of a range of heritage values. As outlined by Heritage Victoria, designed landscapes may be significant for a number of reasons such as:

- Works of art because of the beauty of their design.
- Examples of the work of noted garden designers or architects.
- Historical records, showing the principles of garden and cemetery design from an earlier era or demonstrating how a garden's layout can change over time.
- A setting for buildings which are of architectural or historical importance.
- As a contribution to a cultural landscape, a component of a precinct or area of importance to our community.
- The location of a valuable plant collection or of notable individual trees, shrubs or plants.
- Commemorative plantings, or because of age, rarity or size or as outstanding examples of a species.⁴⁵

Designed landscapes are often gardens. A garden can be defined as 'an area of ground designed or laid out primarily to be used for pleasure, where the growing of plants is, or was, an important element.'⁴⁶ The term 'heritage garden' is used to denote gardens that have historical, cultural or artistic values.⁴⁷ Heritage gardens are generally designed green and open spaces that include parks and special trees. They may also include large natural areas.

Public and private gardens have held a critical role in the development of urban societies from the early period of civilisation. They are geographic expressions of ideals and the quest for aesthetic beauty and harmony. As explained by Sheen MacKellar Goulty:

Gardens are a vital part of our national and international heritage, encompassing more facets of our cultural and social history than any other art form. Many provide the settings for historic houses, other are of interest in their own right. They are both a recreational and an educational resource and are increasingly being recognised worldwide as important national assets.⁴⁸

⁴⁵ Heritage Victoria, 'Protecting historic designed landscapes', Information Sheet

⁴⁶ Sheena MacKellar Goulty, *Heritage gardens, care, conservation and management*, Routledge, New York, 1993, p xvi

⁴⁷ *ibid*

⁴⁸ *ibid*, p 1

NZHPT Register, examples of registered designed landscapes and gardens in New Zealand		
Register No.	Name	Garden type (Ramsay, 1991)
26	Alberton, Auckland	Large urban-residential garden
157	Bushy Park Homestead, Wanganui	Homestead garden/estate
30	The Elms Mission House and Library, Tauranga	Mission garden
124	Domain Wintergardens, Auckland Domain	Domain
7657	Southern Cemetery Historic Place, Dunedin	Cemetery
7012	Te Aroha Domain Historic Area, Te Aroha	Public park
7520	Lower Hutt Civic Centre Historic Area, Lower Hutt	Civic administration
7612	Former Queen Mary Hospital Historic Place, Hanmer	Institutional grounds
7573	Wellington Botanic Garden Historic Area, Wellington	Botanic gardens
7555	Ihakara Gardens Wahi Tapu, Foxton	Public park and Memorial
7689	Queens Gardens, Nelson	Public park

Guidance on identification and protection of designed landscapes is available from sources such as the Australian Heritage Commission and the National Trust in Australia.

In 1991, Juliet Ramsay from the Australian Heritage Commission authored a guideline for the classification and assessment of parks, gardens and special trees for the Register of the National Estate.⁴⁹ This guide remains very useful and has been widely adopted by heritage agencies, historians and landscape architects. It provides a methodology for the identification and assessment of heritage garden while prepared for the Australian context, can be adapted for the New Zealand situation. Ramsay provides a definitive list of heritage garden types which include:

- Utilitarian, acclimatisation and mission gardens
- Cottage gardens
- Large urban-residential gardens
- Terrace house gardens
- Suburban gardens
- Homestead gardens
- Private parklands
- Hill stations

⁴⁹ Juliet Ramsay, *Parks, Gardens and Special Trees, A classification and assessment method for the Register of the National Estate*, Australian Heritage Commission, April 1991

- Botanic gardens
- Public parks, gardens, domains, public reserves
- Zoological gardens
- Institutional grounds, campuses and gardens associated with civic administrative buildings
- Scientific gardens, arboreta and nurseries
- Memorial places, cemeteries and churchyards
- Trees, avenues, tree groups, boundary markers, urban trees, plantations and survey markers.
- Public squares, urban spaces and urban precincts
- Commercial gardens
- Nature parks and nature or forest reserves
- Railway stations, airport and industrial places
- Landscape estates
- Viewpoints
- Sculpture gardens

In addition to this list, Ramsay outlines a range of garden styles such as squared, geometric, Arcadian, picturesque, gardensque, high-Victorian, Edwardian, Art Deco and Interwar Domestic.

The assessment method for the Register of the National Estate developed by Ramsay provides a guide by giving examples of characteristics that are relevant in relation to the National Estate criteria. This guidance provides assistance in building a case to register a heritage garden on the Register of the National Estate. The guidance can be adapted for New Zealand and used in relation the range of best practice identification criteria promoted by the NZHPT for local authorities as outlined in Discussion Paper No. 1 of this series.

Summary of Suggested Criteria for Assessing Historic Heritage Values		
Category	Heritage Value	Relevant characteristics of gardens (examples from Ramsey, 1991)
Physical	Archaeological	
	Architecture	The garden has significant buildings such as conservatories, gazebos, ferneries, and pergolas
	Technology	Ability to demonstrate particular horticultural or arboricultural skills
	Scientific	A well documented scientific collection of plants in good condition
	Rarity	Features of a garden which demonstrate an uncommon or rare historic design style such as the 'bungalow style'
	Representativeness	Distinctive features of a gardening technique or a range of gardening techniques
	Integrity	
	Vulnerability	
	Context or group	The garden is part of a group of gardens which collectively demonstrate a style but with individual variations
Historic	People	The garden is associated with an individual of note in terms of designer, botanist or explorer.
	Events	The garden is associated with an important event of regional or national significance
	Patterns	
Cultural	Identity	Established aesthetic value to an individual, group or community
	Public esteem	The place is a local landmark and valued by the community
	Commemorative	Associations with an event such as a place of a special exhibition or ceremony
	Education	
	Tangata whenua	
	Statutory recognition	

Heritage gardens require special and carefully designed protective measures. Ideally, the management of the garden should be guided by a conservation plan. The Australian Garden History Society has prepared guidelines for the preparation of conservation plans for historic

gardens in Australia.⁵⁰ The guideline covers topics of assessing the existing nature and condition of the garden, urgent action, research, assessment of heritage significance, conservation policy and constraints, and proposals and plans. Additional guidance is available from published documents such as *Heritage Gardens, care, conservation and management*.⁵¹

Obtaining advice from a professional landscape architect is a first critical step in managing designed landscapes and gardens. Landscape architects are trained to understand landscapes and conserve and enhance the quality of the landscaped environment. You can contact a landscape architect by contacting a member of the New Zealand Institute of Landscape Architects (NZILA). Website:

http://www.nzila.co.nz/index_home.asp

Karori Cemetery Conservation Plan

Karori Cemetery, Wellington, was established in 1891 and covers 35.5 hectares of graves, memorials, mausolea, paths, roads and gardens. The collection of built structures and landscape represents a unique and diverse cultural heritage landscape. The cemetery adjoins suburbia and the outer green belt.

The Karori Cemetery Conservation Plan was prepared in June 2003 for the Wellington City Council by Four Decades Conservation Ltd. The preparation of the plan involved a multi-disciplinary team including an archaeologist, conservation architect, historian, and landscape architect. The plan provides a history of the cemetery, physical description, significance assessment, threats to heritage, management policies and work recommendations. The plan confirms the desirability of establishing Karori Cemetery as a heritage park. This is to be achieved by a range of conservation actions for the management of vegetation and graves in 19 landscape units. The plan can be downloaded from the Wellington City Council website: www.wcc.govt.nz

⁵⁰ Australian Garden History Society, *Historic Gardens in Australia, Guidelines for the Preparation of Conservation Plans*, 1983

⁵¹ Sheena MacKellar Goulty, *Heritage gardens, care, conservation and management*, Routledge, New York, 1993

Heritage Trees

Trees are an important aspect of the natural, historic and cultural environment. Trees are particularly important to Maori. A tree may be a marker of an important event, as a historic source of food, a boundary marker, or as a wahi tapu such as a deposit of umbilical cords or placenta (pitopito). A large number of trees are recorded as archaeological sites and are associated with archaeological values. Trees as archaeological sites include dendroglyphs or trees associated with cultivation such as karaka and cabbage trees.

Since the 1930s, the Royal New Zealand Institute of Horticulture (RNZIH) has promoted the preservation and registration of New Zealand's notable trees.⁵² Notable trees were also promoted by the New Zealand Forest Service during the 1970s and 1980s.⁵³ The RNZIH notable tree register is of national importance and recognises the importance of notable trees to the community. Trees may be listed on the notable tree register on the basis of the following values:

- Stature (feature and form)
- Historic values
 - Age over 100 years old
 - Association (with an eminent person or event)
 - Commemorative (as a record of a historic occasion)
 - Remnant of an original forest or planting
- Scientific
 - Source (of botanical interest)
 - Rarity (found in unusual circumstances or numbers in NZ)
 - Collection (e.g. Arboretum)

Heritage trees as historic sites may be registered under the Historic Places Act 1993 having regard to the criteria provided in sections 22 and 23. For example, trees may be associated with events or persons of importance to New Zealand history, they may have symbolic or commemorative values, or importance to tangata whenua as wahi tapu. A tree may also form part of a wider historical and cultural complex or historic and cultural landscape. The majority of trees registered by the NZHPT are part of a historic place or area associated with a garden and setting.

⁵²Ron Flook, *An Introduction to the Notable Trees of New Zealand*, Royal NZ Institute of Horticulture and New Zealand Arboricultural Association, 1994 (www.rnzih.org.nz)

⁵³S.W. Burstall, *Historic and Notable Trees, Northland and Auckland*, NZ Forest Service, 1971; S.W. Burstall & E.V. Sale, *Great Trees of New Zealand*, New Zealand Forest Service, Reed, 1984

NZHPT Register, examples of registered trees in New Zealand		
Register No.	Name	Trees
3	Te Waimate Mission House, Te Waimate	Te Waimate Mission House grounds has a number of significant historic trees and is associated with the oldest oak tree in NZ.
105	Former Government House, Auckland	The gardens associated with the former Government House contain a large number of trees associated with commemorative events and visiting dignitaries
494	Matheson House, Mathesons Bay	Notable Norfolk pines
7021	Oak Avenue Historic Area, Hastings	An avenue of planted trees that includes 211 English Oaks, 41 Elms, 40 Plane, 3 Lime, 4 Cedrus and 3 Redwood trees
7581	Marton Park Historic Area, Marton	The park includes a landscaped garden and five commemorative trees
7411	Mihiroa Rakau Pitopito	Wahi tapu tree of significance to Ngati Mihiroa
7558	Huiputea	Wahi tapu kahikatea tree

Heritage trees require special care and protection. This protection should apply to the tree fabric and its surrounding environment. In the first instance a professional arboriculturist should be contacted for advice. Information about professional arboriculturists can be obtained from the New Zealand Arboricultural Association:

<http://www.nzarbor.org.nz/index.html>

Unlike a building, a tree cannot be maintained for an indefinite period. All trees decay and die. However, despite the finite life of trees, protection should still apply to the tree site. It may be possible to commemorate the site of the tree by interpretation or by the planting of a new tree. New trees may be planted in the vicinity of the old to maintain continuity of landscape values when the old tree dies. Heritage trees should also be protected from vandalism and damage.



Te Rauparaha Pou, Motuhara Road, Plimmerton.
Photo, R McClean, October 2005

Te Rauparaha's Tī kōuka (Cabbage Tree) Taupo Pa, Plimmerton

Taupo Pa at Plimmerton is associated with Ngati Toa Rangatira, in particular chiefs Te Rauparaha and Te Hiko-o-te-Rangi. The site was associated with a settlement, tauranga waka, pa and urupa. The area had been set aside as a burial ground by the Native Land Court and vested in the Public Trustee as a reserve (Taupo No.2 Block) in 1896. The Trustee developed plans to subdivide the land in 1908. Despite the reserve status and protest by the Plimmerton community, who tried to ensure the land be vested as a scenic reserve, the block was subdivided and leased in 1910.⁵⁴ Within the reserve there was a lone Tī kōuka or cabbage tree. Local knowledge considered that Te Rauparaha had used the tree as a look out. When the Taupo No. 2 block was subdivided by the Public Trustee in 1910 a small reserve was set aside for the tree. Eventually the tree died and the surrounding land was built upon for residential purposes.

During the 1960s, the NZHPT marked the site of the tree with a large concrete plinth and plaque and in the 1970s, a wooden carved pou of Te Rauparaha was installed at the entrance of the reserve on Motuhara Road. A new cabbage tree was planted at the site in the early 1990s.

⁵⁴ McClean, R. 'Power/Knowledge and Space: The Creation and Alienation of the 'Reserve' at Porirua' Unpublished MPhil Thesis, 1996, Massey University, pp 149-154



Taupo Pa, Plimmerton (ca 1895). Photo, Frank Denton, Ref No. 1/2-004015-G, Alexander Turnbull Library Collection

Archaeological landscapes

All pre-1900 archaeological sites are protected under the Historic Places Act 1993. This includes any unrecorded or unknown archaeological sites and those archaeological sites that are registered as a historic place, historic area, or wahi tapu. An archaeological site is defined in the Historic Places Act 1993 as any place in New Zealand that either was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where that wreck occurred before 1900, and is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand. Any activity that destroys, damages, or modifies an archaeological site requires an authority from the NZHPT.

While the Historic Places Act 1993 protects pre-1900 archaeological sites, a key issue is the need to identify and protect archaeological landscapes. Landscape archaeology is an important aspect of the wider archaeological discipline. Landscape archaeology emphasises archaeology in the wider physical and anthropological environment and interrelationships, including geomorphology and palaeoecology.⁵⁵ As explained by Christopher Tolan-Smith:

The need to place conventional archaeological sites in a broader context has long been recognised, and off-site, or even non-site, archaeology, whether of a palaeoenvironmental kind or where extensive field surveys are undertaken is becoming a familiar approach. This broadening of perspective has arisen from

⁵⁵ Peter Fowler, *Archaeology and the Landscape*, London, 1972; Peter Fowler, 'Reading the Land' *British Archaeology*, Issue 62, December 2001

the realisation that, although its intensity varies from location to location, human behaviour is distributed across the landscape in a continuous fashion.⁵⁶

Christopher Tolan-Smith explains that there are three general aims of landscape archaeology:

1. The study of the contemporary landscape as a means of explaining how it came to be the way it is.
2. The reconstruction of past landscapes as a means of better understanding past social, ideological, economic and ecological relations.
3. The monitoring and documentation of landscape change.⁵⁷

In the United Kingdom there are a wide range of publications and guidance available about managing change in archaeological landscapes, especially relating to historic farming landscapes.⁵⁸

In New Zealand, landscape archaeology has generally focused on settlement pattern archaeology and site catchment analysis.⁵⁹ This focus has expanded to cover a broad range of landscape-related studies that include territoriality, place-making and regional landscape characterisation.⁶⁰ In addition, there are a range of landscape-related studies relating to activities such as goldmining and Maori agriculture. For example, as explained by Dr Matthew Schmidt,⁶¹ Neville Ritchie's archaeological survey of the proposed Clyde Dam site in the late 1970s was one of the earliest surveys that covered the topic of archaeological landscapes. In considering the effects of this project on archaeological sites in the Kawarau Gorge, he noted:

The NZ Historic Places Trust has a wider responsibility to ensure that historic landscapes are preserved where possible and that generally schemes which concentrate impacts in relatively small areas are preferable, because they preserve the integrity of much of the historic landscape in the area.⁶²

Dr Matthew Schmidt also notes that the historic landscape approach was adopted by Hamel during the pastoral lease surveys in the 1990s. Hamel considered that the interrelationship of recorded archaeological sites resulted in a complex historic landscape as illustrated in the Glen Nevis pastoral lease archaeological assessment in 1996.⁶³ This archaeological/heritage

⁵⁶ Christopher Tolan Smith, *Landscape Archaeology in Tynedale*, University of Newcastle, 1997, p 1

⁵⁷ *ibid.*

⁵⁸ For example, English Heritage, *Farming the historic landscape, an introduction for farm advisers*, January 2005; English Heritage, *Farming the historic landscape, caring for archaeological sites on arable land*, 2005

⁵⁹ Rachel Darmody (nee Palmer), *The Landscape Archaeology of the Lower Clutha District*, PhD Thesis, University of Otago, 2000

⁶⁰ For example, Joanna Wylie, *Negotiating the landscape, a comparative investigation of wayfinding, mapmaking and territoriality in selected hunter-gatherer societies*, unpublished MA Thesis, University of Otago, 2003

⁶¹ Statement of evidence, Dr Matthew Schmidt, Project Hayes, Lammermoore Range, Central Otago, 11 June 2007

⁶² Ritchie, N., *Kawarau River Valley Archaeological Survey. An Inventory and Assessment of Prehistoric and Historic Sites in the Kawarau River Valley, Central Otago, with comments on the possible impacts of hydro construction*. Report for the NZHPT, 1983

⁶³ G. Hamel, *Power in the Upper Nevis, Historic Sites on Glen Nevis*. Report for the Department of Conservation, 1996

landscape approach is now common in surveys of pastoral leases for tenure review processes under the Crown Pastoral Land Act 1998.

Papamoa Hills Regional Park Conservation Plan

Papamoa Hills Regional Park or Te Rae o Papamoa was opened to the public in July 2004. It is the Bay of Plenty's first regional park. Consisting of 134 hectares of coastal hill country, the park contains numerous archaeological features including a number of pa sites. The conservation plan was prepared in December 2006 by Insitu Heritage Ltd.⁶⁴ The conservation plan provides a description of the historic heritage values of the park and outlines heritage significance, policies and work recommendations, including remedial work and maintenance specifications. Issues for management include management of stock, visitor management, interpretation and mitigation of erosion. The plan promotes a partnership approach between the regional council and tangata whenua.

In addition to the management of the archaeological features within the park boundary, the conservation plan highlights archaeological sites outside the park which also form part of the Papamoa Hills cultural and archaeological landscape. Further, the conservation plan promotes the protection of significant viewing lines, especially the connection to the Papamoa dune plain, the Kaituna River and other pa such as Wharo, Tamapahore and Mauao.

Heritage landscapes (historic vernacular landscapes)

Many historic places and areas can be of a large-scale and may comprise entire communities or environments with complex heritage values. Generally these complex historic places and areas are often, but not necessarily, single contiguous areas. The general term to describe these places and areas are heritage landscapes. Heritage landscapes may incorporate seascapes (or any combination of land and water) and may cover a range of types including:

- Townscapes and streetscapes
- Urban and rural environments
- Marine, coastal or inland areas
- Industrial or agricultural areas
- Scenic or common-place areas

In 2003, the NZHPT facilitated a 'Heritage Landscapes Think Tank' as a forum to promote heritage landscape identification and protection. The briefing paper for the forum introduced heritage landscapes as:

Within New Zealand there are many landscapes which have heritage significance to communities, iwi and the nation. Communities feel strong connections with landscapes that reflect their past. Tangata whenua are linked genealogically to the land of their ancestors. Landscapes where important historic events occurred are part of our emerging national identity. However, many of these heritage sites are unacknowledged or ignored. Our heritage is presented in archives,

⁶⁴ Insitu Heritage Ltd, *Papamoa Hills Regional Park, Conservation Plan*, Environment Bay of Plenty, 31 December 2006

cenotaphs, libraries and museums, but rarely in the places where it happened. With appropriate care, promotion and interpretation, such places could contribute significantly to local, economic development through cultural tourism, as well as to national, regional and local pride.⁶⁵

In terms of actually defining a heritage landscape (as opposed to the wider cultural landscape), the report from the forum proceedings suggested that they ‘encompass the physical structures and changes made to the environment by people, natural landforms modified by human action, the meanings given to places and the stories told about them.’⁶⁶ Compared to heritage sites or buildings, heritage landscapes were considered to be potentially more difficult to identify, understand, evaluate and protect. This was because heritage landscapes:

- Can cover a large geographic area
- Can have many owners
- There may be many parties with an interest in the landscape
- They can have both natural and cultural values
- Unlike sites, which are usually associated with a particular group or story, heritage landscapes can represent the heritage of many.
- Historic sites or buildings can usually be considered as artefacts. In comparison, heritage landscapes are dynamic systems, undergoing constant change.
- Heritage landscapes don’t fit into a single historical period, but are rather a composite of layers of history and human interaction.
- Their significance can include ongoing traditions associated with that place.

Following the NZHPT Heritage Landscapes Think Tank, the Department of Conservation (DOC) developed a landscape methodology to guide the identification, conservation and interpretation of historic and cultural resources. This methodology, prepared by Tony Nightingale, was published as an appendix to the 2004 *Bannockburn Heritage Landscape Study*.⁶⁷ As stated in the methodology, the ‘heritage landscape approach attempts to identify significance by examining the interactions between physical remains, stories associated with those physical remains, and current relationships with the heritage site.’ For this purpose, the methodology adopts the concepts of nodes, networks, spaces, stories, webs, and layers:

Nodes are central points of heritage significance in a landscape. They are usually physical features or remains such as a kainga site, a sacred mountain, a whaling station, a gold battery site, an early cheese factory, etc.

Networks are physical or notional features that connect the nodes. They can include tracks, supply routes, roads, railway lines, water races etc. They may not be physically traceable e.g. former tracks across a mountain pass or passages across a lake. They can be lines of sight or cultural meaning, e.g. a *pepepha* (a Maori saying).

Spaces could include field and farming patterns, Maori gardening activities and associated storage pits, designed gardens, settlement layouts, or mining

⁶⁵ NZHPT, *Heritage Landscapes Think Tank, report on proceedings*, 1 April 2003, p 1

⁶⁶ The term stories was discussed at the Heritage Landscapes Think Tank as a collective term for history, meaning, myth and stories in written, oral and other forms

⁶⁷ Janet Stephenson, Heather Bauchop, and Peter Petchey, *Bannockburn Heritage Landscape Study*, DOC, 2004 <http://www.doc.govt.nz/Publications/004--Science-and-Research/Science-for-Conservation/PDF/sfc244.pdf>

remains. Open space or landscape patterns around a site can contribute to the integrity of a heritage landscape. Physical relationships and viewsapes between sites can also enhance the significance of a landscape.

Stories explain human relationships with the landscape. These can be formal written histories, traditions, or beliefs. Sometimes only a part of the stories will remain, e.g. a name or an association. What makes stories powerful is that they link the present and people with the landscape.

Webs connect nodes, networks, spaces, and stores, e.g. the concept of the 1860s gold rush, a bush tramway system, or a system of beliefs, e.g. the Tuwharetoa and Taranaki Maori stories about the relationships between Mounts Tongariro, Ngauruhoe, Ruapehu and Taranaki.⁶⁸

The methodology explains that these relationships of space, time and community associations are synthesised within an assessment of cumulative landscape values. Such an assessment involves information gathering and recording, consultation with community groups, analysis and evaluation.

Bannockburn Heritage Landscape Study

The Bannockburn Heritage Landscape Study was a major study involving a heritage landscape methodology approach. The study was essentially a test case for the methodology developed by Tony Nightingale outlined above. The authors were Dr Janet Stephenson (heritage planner formerly with NZHPT, presently with University of Otago); Heather Bauchop (heritage researcher, NZHPT), and Peter Petchey (DOC archaeologist). The study area was located in Central Otago, at the southern end of the Cromwell Basin. Over 100 recorded archaeological sites were located in the study area, almost all relating to the goldmining era. Research into the historic landscape at Bannockburn covered a range of historical themes including:

- Maori history and interactions with the landscape
- Archaeological information
- Colonial exploration and pastoralism
- Early goldmining
- Quartz and gold mining
- Agriculture and horticulture
- Subdivision and viticulture

In addition, contemporary cultural values were researched including the cultural values of tangata whenua and what residents value today about the landscape and community concerns. As stated in the study:

The concept of landscape used was that it consists not only of the physical environment (both its natural and human created elements), but also cultural perceptions,

⁶⁸ Tony Nightingale, 'Heritage Landscapes: A landscape approach to the identification, conservation and interpretation of historic and cultural resources' in Janet Stephenson, Heather Bauchop, and Peter Petchey, *Bannockburn Heritage Landscape Study*, DOC, 2004, Appendix 1, p 114

practices, traditions and stories, and the relationships between people and the land...To assign heritage significance, consideration was given to historic importance of each aspect of the landscape, its value for providing information about the past, and its shared significance to community members as reported in interviews.⁶⁹

The analysis provided an overview on the main layers of the past that have physical changed the landscape the important nodes, networks and spaces: moa hunting, early pastoralism, mining, settlements, and recent trends in urbanisation and viticulture.

The Bannockburn Study highlighted the importance of well-researched approaches to identifying, assessing and managing the significance of heritage landscapes. This approach promotes applying the practice of conservation. Conservation as defined in the ICOMOS New Zealand Charter, means the practice of caring for places of cultural heritage value, their structures, materials and cultural meaning. As stated in the study, conservation must go beyond a particular historic place or building:

The practice of conservation in these contexts is usually applied to historic places which are limited in extent – most often a building or cluster of buildings, but occasionally a pa site or other archaeological feature. It has rarely, from our knowledge, been applied at a landscape scale except possibly where the entire area is managed for conservation purposes (e.g. Bendigo).⁷⁰

Advocating a conservation approach (in the preservation sense), however, was considered unrealistic for the majority of the Bannockburn ‘living’ landscape. Instead the authors advocated for a sustainable development approach while ‘conserving particularly important aspects of the landscape.’⁷¹ This would involve strategies that improve understandings of the heritage landscape, improving identification and detailed mapping of heritage features, and improving care of all historic and archaeological sites.

The Bannockburn study approach has been identified by the Environment Court on a number of occasions as a method of identification and protection of heritage landscape values.⁷² In the case of *JB Harrison, Ngatiwai Trust Board v Whangarei District Council*, the Ngatiwai Trust Board sought relief for the whole of the area known as Pataua Island (Pataua South) to be declared a site of significance to Maori in the Whangarei District Plan.⁷³ The Environment Court considered the approach of the district plan to identify and protect sites of significance to Maori (or SSM) were inadequate to protect a wider area of land, or a whole landscape covering a number of individually identifiable places. To achieve the proper identification and protection of a wider landscape, the Environment Court stated:

As an aside, on the issue of cultural or heritage landscapes, we could mention that chance lead us to the Bannockburn Heritage Landscape Study published by the Department of Conservation. This was a trial of a newly developed interdisciplinary methodology of the analysis of, and reporting on, a landscape with many features and layers. We mention it because it is an example of the

⁶⁹ *ibid*, pp 87-88

⁷⁰ *ibid*, p 100

⁷¹ *ibid*, p 101

⁷² *J B Harrison, Ngatiwai Trust Board v Whangarei District Council*, Environment Court, W84/05; *JB Harrison, Ngatiwai Trust Board v Whangarei District Council*, Environment Court, W34/05

⁷³ *JB Harrison, Ngatiwai Trust Board v Whangarei District Council*, Environment Court, W34/05

depth of study and analysis which needs to be done to thoroughly understand an entire landscape in cultural or heritage terms.⁷⁴

With regard to Pataua Island, the Environment Court concluded that the area needed a through cultural and heritage assessment generally following the Bannockburn Heritage Landscape Study model.

Since the completion of the Bannockburn Heritage Landscape Study, Dr Janet Stephenson has completed a PhD thesis on developing a framework for understanding cultural values in landscapes.⁷⁵ In this thesis, Dr Stephenson highlights the importance of landscapes and their cultural values rather than attempting to define 'heritage landscapes'. This is illustrated in the thesis by a discussion on the landscapes framework developed in the Bannockburn study and a further detailed Akaroa landscape case study. The thesis also discusses the use of the cultural values model and dimensional landscape model. The cultural values model focuses on the meaning and experience of particular landscapes, rather than generic landscape values. As explained by Dr Stephenson:

It proposes that the valued aspects of the landscapes can be understood in an integrated way through consideration of forms, relationships and practices; the dynamic interactions between these; and how these interactions have continued over time. It suggests that values arise both from immediate responses to the 'surface landscape', and from associations with and knowledge of the 'embedded landscape'. The model proposes an inclusive approach to cultural values.⁷⁶

The dimensional landscape model provides a framework for 'considering the spatial and temporal dimensions of cultural values' by enabling the integration of information from a range of different methodologies.⁷⁷ This model adopts webs and layers to 'analyse key influences from the past that continue to generate values, and to help understand how values can compound around particular aspects of the landscape.'⁷⁸

Based on the two landscape models, Dr Stephenson promotes a range of principles for identification and management of cultural values in landscapes. These principles, outlined in appendix 1, promote the need for comprehensive, holistic and community-based identification procedures that ensure the range of values are acknowledged and provided for. The principles also promote partnership management approaches that ensure owners have involvement and sustainable development is adopted as opposed to preservation or conservation.⁷⁹ In terms of preparing a landscape study, Dr Stephenson considers the essential elements should involve:

- Background research – it is imperative to first understand its physical and social history.
- Collecting information – being inclusive of all forms of value (e.g. tangible/intangible, natural/cultural, multi-cultural).
- Involving communities – it is necessary to discover the view of those living in and associated with a specific landscape.

⁷⁴ *ibid*

⁷⁵ Dr Janet Stephenson, *A framework for understanding and linking multiple cultural values in landscapes*, unpublished PhD Thesis, University of Otago, April 2005

⁷⁶ *ibid*, p 325-326

⁷⁷ *ibid*, p 327

⁷⁸ *ibid*

⁷⁹ *ibid*, pp 343-347

- Analysis and integration – promoting cultural values model (concerned with what creates significance) and the dimensional landscape model (concerned with what is given significance).
- Management – development of appropriate management strategies and aids particularly in recognising values that would otherwise be relatively invisible and therefore unaccounted for in management decision-making.⁸⁰

Dr Stephenson does not suggest the proposed framework outlined in the thesis is the entire ‘answer’ to the issue of landscape identification and management, but considers that the ideas outlined provide groundwork for a range of research opportunities and to promote an integrated approach to understanding spatial and temporal values.⁸¹

‘Natural’ landscapes of historic heritage value

The division between natural and historic values is highlighted in a wide variety of legislation and policy. For example, the Resource Management Act promotes consideration of ‘natural and physical resources’ and the protection of outstanding natural features is provided for in section 6(b) in contrast to the protection of historic heritage in section 6(f). In a similar manner, the Conservation Act 1987 provides for the management of ‘natural and historic resources’. Yet as indicated in the discussion above, the demarcation between natural and historic values can be contested as all landscapes have some cultural significance and value.

There are many outstanding ‘natural’ landscapes have significant history and cultural heritage values. Tongariro National Park has been recognised as a World Heritage Area on account of its cultural, geological and ecological values. Waterways such as Lake Horowhenua or Wairarapa Moana (see text box below) have significant historical and cultural values that are not just limited to Maori heritage values. Lake Manapouri is not only significant for its ecological values but as a landmark in the history of the environmental movement in New Zealand and as the site of the largest underground power station in the country.

Recognising the historic values of natural landscapes is an important task requiring historical research and documentation. The vast research reports commissioned by the Waitangi Tribunal and the Crown Forestry Rental Trust provide excellent source material for recognising natural landscapes of historic value.

Wairarapa Moana

From a purely visual perspective, Wairarapa Moana, - the lakes and waterways of Lakes Wairarapa and Onoke - may appear to be ‘natural’ features of ecological value only. However, Wairarapa Moana has a history of human occupation and use going back hundreds of years.⁸² For Maori the lakes were a major food ‘basket’ and a substantial and complex eel fishery regime existed at the Lake Onoke bar. European arrival and perceptions of land and water clashed in the Wairarapa after 1860 resulting in conflict over the opening of the lake. The new Pakeha landowners attempted to open the Lake Onoke bar at Okerewa in order to

⁸⁰ *ibid*, pp 336-343

⁸¹ *ibid*, p 363

⁸² Summary from: R. McClean, *Wairarapa 20th Century Environmental Overview Report, Inland Waterways*, unpublished report for the Waitangi Tribunal, Wai 863 Wairarapa ki Tararua Inquiry, December 2002

reduce flooding on lands surrounding Wairarapa Moana. This attempt was supported by the Crown under the River Boards Act 1884 and the establishment of the South Wairarapa River Board in 1886. The conflict, involving non-violent protest resulted in an appeal to the Maori Land Court and the Court of Appeal and the inquiry by the MacKay Commission in 1891. Eventually, the Crown negotiated with Maori to purchase the title of Wairarapa Moana in 1896. After securing title for the lakes, the South Wairarapa River Board developed plans for the control and drainage of Wairarapa Moana. These plans influenced the evolution of water catchment control schemes nation-wide and the eventual establishment of catchment boards under the Soil Conservation and Rivers Control Act 1941. While up until the 1940s, Maori still managed the substantial eel fishery, this fishery was being undermined by commercial fishery interests. In 1930, New Zealand's first export consignment of frozen eels was sourced from Wairarapa Moana.

During the 1960s, Wairarapa Moana was subject to one of the largest water catchment schemes undertaken in New Zealand. The Lower Wairarapa Valley Development Scheme resulted in widespread environmental changes to the lakes and waterways. A large number of wetlands were drained, Rangatea and Pouawha lagoons were destroyed and the Ruamahanga River was diverted out of Lake Wairarapa and redirected into Lake Onoke. The changes resulted in artificial water level control for Lake Wairarapa. Opposition to the development scheme and its resulting environmental effects influenced the initiation of new environmental reporting requirements in the 1970s (Environmental Protection and Enhancement Procedures) and the establishment of agencies such as the Nature Conservation Council.

Wairarapa Moana remains today an artificially controlled lake. Its history has many layers that highlight its importance to Maori, the development of water catchment control schemes in New Zealand, and the environmental movement.

Maori Heritage Landscapes Values

The need for legislation and policies to recognise and protect the 'Maori environment' is a key landscape issue. Going back to the Environmental Forum of March 1985, Maori have advocated for the recognition of a 'Maori environment' consisting of tangata whenua, turangawaewae, tribal boundaries, mountains, rivers, trees, shorelines, rocks, and fishing grounds.⁸³ It was considered critical to define the Maori environment and give it sufficient recognition in legislation.

As outlined above, Maori views of landscape and environment start with the concept that the entire natural world has significance and a certain amount of holiness (tapu). Yet within the land (paptuanuku), there are places which are valued differently because they are locations upon which certain activities took place. The activities may include burial, settlement, battlesites, gardening etc. The type of place and its associated set of values will determine what sorts of activities are deemed to be unacceptable from the view point of Maori.

While any district or place contains many places of significance to Maori, these places are valued differently by different communities within Maoridom. Some sites may only be valued by the local Marae community or hapu, others of value to the entire iwi, and others

⁸³ Environment Forum 1985, AAUM W4044 Box 31 2/19/4, NA Wellington

have value to Maori society in general. The different value judgements will influence what types of activities are deemed to be appropriate or inappropriate within the landscape.

English-based heritage planning systems (identification, listing and rule implementation) essentially begin with the identification of 'specific sites'. These are basically defined, researched, and listed for protection and end up as 'dots' on planning maps. In the case of many district plans, the dots or areas of Maori sites of significance are known as wahi tapu sites. The NZHPT's experience of Maori approaches to heritage starts at a larger scale where the 'whole' has greater value and significance than the individual 'parts'. An excellent example are the significance sites listed in the Ngai Tahu Claims Settlement Act 1998 which contains statutory acknowledgements for a range of landscapes of significance including Tititea/Mt Aspiring, Aoraki/Mt Cook, Te Wairere/Lake Dunstan, Okarito Lagoon, Moana Rua/Lake Pearson, and the Waitaki River. All of the statutory acknowledgement areas are also geological and ecological landscapes of significance.

As noted above, the Environment Court has also signalled the need to identify and protect places and areas of significance to Maori beyond individual sites. In the *JB Harrison, Ngatiwai Trust Board v Whangarei District Council* case, the Environment Court commented:⁸⁴

Returning to the SSM [site of significance to Maori] issue, there was a suggestion that the term site might not be wide enough to encompass a landscape, and that the SSM mechanism was designed to deal with specifically identifiable places such as a pa, an urupa, or something similar. The Plan itself does not define site, nor does the Act [RMA]. The Concise Oxford defines it as...an area of ground on which something is located...a place where a particular event or activity is occurring or has occurred. That suggests that the more restricted meaning is to be preferred: - that a site is one identifiable place with a single focus rather than a wide area covering a number of individually identifiable places...The use of the term area is, again, in contrast with site, an indication that it is intended to deal with broadly defined expanses, rather than focused, individual notations. So we arrive at the conclusion that the SSM mechanism as presented in the Plan is not appropriate one for giving that level of protection to a whole landscapes, as opposed to individually defined sites.⁸⁵

The Environment Court concluded in the case of large and complex areas of significance to Maori, the term 'heritage area of significance to Maori' should be adopted.⁸⁶

Identification and Protection of Landscapes of Significance to Maori in Porirua City

It is often the case that Maori sites of significance refer to an area or a landscape containing many sites, including archaeological sites. The Porirua City Council developed a framework for the identification and management of sites of significance to Maori in 1995. This project involved detailed historical research, archaeological survey, and policy development involving a large number of sites of Maori significance that had been listed in the Proposed Porirua District Plan as Maori sites of significance. The Council found that many of the

⁸⁴ *JB Harrison, Ngatiwai Trust Board v Whangarei District Council*, Environment Court, W34/05

⁸⁵ *ibid*, para 30-31

⁸⁶ *ibid*, para 35

specific sites listed in the plan were actually mini-heritage landscapes with each 'place' comprising of a number of different places such as tauranga waka, tracks, gardening sites, pa, and pits. After defining the boundaries of these places, a heritage researcher and Miria Pomare (Ngati Toa Rangatira) interviewed elders (kaumatua and kuia) to determine values, significance, and unacceptable behaviours or activities associated with each place. Two bus-trips were also organised for the iwi-katoa around the district.

The result of this project was an understanding that Maori attached great significance to landscapes that included a range of sites of significance including battlegrounds, pa and kainga and other places associated with birth and death events.

During the project, the Ngati Toa Rangatira called for a strict regulatory regime and defined a number of unacceptable behaviours or activities for cultural and archaeological places in the coastal farming environment. Unacceptable activities on these places included roading, food consumption, vegetation clearance, excavations and land disturbance, cattle farming in some circumstances, fencing, building construction, and toilets and disposal of human waste. An important finding was that these activities were deemed to be unacceptable in a cultural heritage site even though actual archaeological sites may not be damaged or uncovered. The type of activities that were perceived to be acceptable included walking, horse riding, sheep and goat farming, tree planting, and general farm-related activities.

Recently, Porirua City Council is developing a new heritage strategy and will be updating information on Maori sites of significance using GIS technology.

Legislative Methods for the Sustainable Management of Heritage Landscape Values

There is no 'silver bullet' or one method to ensure the sustainable management of heritage landscape values. As indicated in this discussion paper, heritage landscape values are not easily defined and are often contested and dynamic. Identification is the key starting point to ensure the sustainable management of the heritage landscape.

Legal and legislative solutions are limited as landscape values do not fit easily with land law. As commented by Prof D.E Fisher, it is 'the notion of landscape as a social or cultural construct that causes immense problems for a legal system...Traditionally the law has been comfortable with land as a physical reality with reasonably clear and identifiable boundaries of delimitation. In the absence of such definition, a legal system lacks the intrinsic certainty and precision that it craves.'⁸⁷ For this reason, properties established by cadastral boundaries recognised in law may be inadequate to recognise heritage landscape values.

The management issues will vary according the nature and type of place or area. Generally, the issues will comprise a range of inappropriate subdivisions, land use, and developments. In rural heritage places and areas, common issues include:

- Deterioration and ongoing decay of historic places, sites and structures.
- Loss of settings around historic places, sites, and structures.

⁸⁷ D. E. Fisher, 'Can the law protect landscape values' *New Zealand Journal of Environmental Law*, Vol 9, 2005, pp 2-3

- Inappropriate new development within or around historic rural settlements.
- Loss of settings caused by new transport developments.
- Damage to archaeological sites resulting from existing rural farming practices.
- Damage to archaeological sites resulting from new farming activities (e.g. viticulture).
- Damage to archaeological sites resulting from new rural residential subdivision.
- Loss of setting around archaeological sites including loss of connections between sites.
- Loss of less prominent or visible archaeological sites such as midden.
- Lack of reserves or conservation areas providing for preservation of historic places, sites and structures.
- Access problems to places, sites and structures over private land.
- Lack of interpretation or interpretation that has deteriorated or is inappropriate.
- Lack of maintenance of paths and public walking tracks.
- Damage caused by vandalism and lack of security.
- Inappropriate advertising and signage.
- Loss of visual corridors and viewing points.

Urban heritage places and areas also experience many of these threats, but experience greater levels of removal or demolition of historic buildings, sites, and structures and inappropriate new buildings, especially tall buildings.

There are a range of legislative and policy tools available to identify and manage heritage landscape values. Some of the legislative and policy tools include:

- Regional and district plan provisions under the RMA 1991
- Registration under the Historic Places Act 1993
- Special legislation
- Overseas Investment Act 2005 consent conditions
- Crown Pastoral Land Act 1998 provisions
- Conservation areas and reserves.
- Heritage covenants (NZHPT).
- QE II National Trust open space covenants.
- Conservation management plans.
- Archaeological authority provisions of the Historic Places Act.
- Maori reserves under the Te Ture Whenua Maori Land Act 1993.
- Nga Whenua Rahui Kawenata (Conservation Act 1987).
- Protected private agreements under the Reserves Act 1977.
- Landcare groups and other community organisations.
- Conservation plans.

The following section provides an overview of the main legislative tools that could be adopted for the sustainable management of heritage landscape values.

Resource Management Act 1991

New Zealand's environmental planning regime has a long association with landscapes. Under the former town and country planning legislation, the management of the urban and rural landscape was of primary consideration. Zoning under district schemes provided strict regulatory control, especially to protect high-grade pastoral farming land from urban development. In some instances, zoning was developed to manage and protect heritage landscapes. For example, in the Queenstown-Wakatipu Combined District Scheme a Rural

H Zone (historic) was developed in the 1970s to protect the surroundings associated with historic goldmining towns and centres such as Macetown. These initiatives were reviewed at a joint planning and landscape conference by the New Zealand Planning Institute and the New Zealand Institute of Landscape Architects in 1978.⁸⁸

The RMA is now the primary law that governs land use and landscape. The RMA promotes the sustainable management of natural and physical resources and the protection of outstanding natural features and landscapes is a matter of national importance under section 6(b) of the RMA. It has been stated by the Environment Court that historical associations and Maori values may contribute towards outstanding landscapes.⁸⁹ This view is supported by the Ministry for the Environment in landscapes guidance provided on the Quality Planning website.⁹⁰ Further, the heritage landscape values are a relevant aspect of the relationship of Maori with their culture (section 6(e)) and historic heritage under section 6(f) of the RMA. This aspect was highlighted by Judge Shonagh Kenderdine at the New Zealand Institute of Landscape Architect's Conference in April 2005. Judge Shonagh Kenderdine considered that the definition of historic heritage in the RMA need not to negate heritage landscape matters:

When considered alongside the broad definition of "historic heritage", the 2003 amendment will require greater weight to be given to heritage sites and areas. The provision of s2(a)(iii) "cultural", (iv) "historic" and s2(b)(i) "historic sites" and "areas" together with (b)(iii) "sites of significance to Maori" and "surroundings" in s2(b)(iv) as well as the inclusive nature of the provision overall, provides considerable scope for asserting an area, place, feature, as a "*landscape*" contributes to historic heritage in planning and resource consent processes.

In fact, taken in conjunction with the existing section 6(e) relating to the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga, the presenters of the Law Society Seminar on the 2003 Amendment to the RMA consider the possible ramifications of s6(f) may be widespread in cultural terms. I agree. As a result I do not see why historic heritage landscapes cannot be a consideration in regional and district plans. There is sufficient leeway in the definition of "historic heritage". And its elevation to a matter of national importance gives that added distinction.⁹¹

The RMA also includes provisions for heritage orders for the purpose of 'protecting any place of special interest, character, intrinsic or amenity value or visual appeal, or of special significance to the tangata whenua for spiritual, cultural, or historical reasons.'⁹² The heritage order can include an area of land surrounding a place as is reasonably necessary for the purpose of ensuring the protection and reasonable enjoyment of a place.

⁸⁸ NZPI, *Planning and Landscape, Papers presented to the 1978 NZ Planning Institute Conference*, Dunedin, 1979

⁸⁹ *Whakatipu Environmental Society Inc v Queenstown Lakes District Council*, Environment Court, C180/99

⁹⁰ www.qualityplanning.org.nz

⁹¹ Judge Shonagh Kenderdine, *Heritage Landscapes: Developing Legislative Frameworks Which Allow for Protection and Change*, Paper presented to NZLA Conference, 27 April 2005, p 15

⁹² Section 189(1)(a), RMA 1991

Regional councils, regional policy statements and regional plans prepared under the RMA can provide direction on the identification and management of heritage landscapes values at a regional level. There is no reason why the historic landscape characterisation method developed in the United Kingdom (see section above) cannot be applied to New Zealand. This could be achieved by the adaptation of the existing NZ landscape classification model such as that prepared by Dr Lars Barbyn.⁹³ This could be achieved by ensuring the regional landscape classification is informed by historical research. For example substantial regional historical information is available via published books and research reports such as those commissioned by the Waitangi Tribunal and the Crown Forestry Rental Trust.

Guidance for identifying heritage landscape values and heritage landscapes should be provided in regional policy statements. This guidance should ensure that regional and district plans consider the need to protect landscape values associated with heritage places and areas and the identification and protection of heritage landscapes.

The Auckland Regional Policy Statement heritage provisions covers natural, geological and cultural heritage, and landscapes. The valued landscapes mentioned in the regional policy statement include the region's volcanic heritage, rural landscapes of Franklin lowlands, Hunua and Waitakere ranges, and the islands of the Hauraki Gulf.⁹⁴ The regional policy statement aims to maintain the overall quality and diversity of character of the landscapes of the Auckland Region. Similar provisions are provided for in the Proposed Taranaki Regional Policy Statement which seeks to protect outstanding landscapes such as Mount Taranaki, the volcanic landforms and features of the Taranaki ring plain, the coastal environment and features such as the raised marine terraces of south Taranaki and inland Taranaki hill country.⁹⁵ Another example is Proposed Plan Change No.1 to the Bay of Plenty Regional Policy Statement (Heritage Criteria). This plan change is accompanied by a user guide which provides guidance on identifying natural features and landscapes, including Maori values and historic associations.⁹⁶

The identification and protection of significant landscapes is common in district or unitary plans in relation to the urban environment. All major cities in New Zealand have rules that protect large historic urban areas and streets. In some cases, such as Auckland or Wellington, entire suburbs have been identified for protection. The identification and protection of rural landscapes is not, however, well developed and few local authorities have undertaken a historic approach to landscape categorisation especially relating to private land. An exception to this case is the Waitakere Ranges heritage area which is currently subject to a Bill before Parliament (see comment below).

Local authorities do have a major role in the identification of historic heritage under the RMA. As noted above, best practice identification procedures should be undertaken to ensure proper identification of heritage landscape values. It is a core conservation principle, that identification and assessment should be based on the full range and diversity of heritage values.

⁹³ Dr Lars Brabyn, *NZ Landscape Classification Version II, A Classification of Visual Landscape Character*, The University of Waikato: <http://www.waikato.ac.nz/wfass/subjects/geography/staff/lars/landscape/index.shtml>

⁹⁴ Auckland Regional Council, *Auckland Regional Policy Statement*, 1999, chapter 6

⁹⁵ Taranaki Regional Council, *Proposed Regional Policy Statement for Taranaki*, September 2006, p 77

⁹⁶ Environment Bay of Plenty, *Proposed Change No.1 to the Bay of Plenty Regional Policy Statement (Heritage Criteria)*, November 2005

Within Discussion Paper No. 1 of the Sustainable Management of Historic Heritage series, the NZHPT is promoting a nationally consistent set of criteria for use by local authorities in identifying historic heritage (see table below). In the use of the criteria, heritage landscape values should not be limited to the 'context or group' criterion. It may be that heritage landscape values are relevant to many of the criteria for example the place may be valued because of related events at other places, or the place maybe vulnerable in relation to wider development in its surrounding environment.

Summary of Suggested Criteria for Assessing Historic Heritage Values	
Category	Heritage Value
Physical	Archaeological
	Architecture
	Technology
	Scientific
	Rarity
	Representativeness
	Integrity
	Vulnerability
	Context or group
Historic	People
	Events
	Patterns
Cultural	Identity
	Public esteem
	Commemorative
	Education
	Tangata whenua
	Statutory recognition

It should be noted that the full range of matters that affect values should be taken into account in the application of the criteria. In addition, criteria are often not mutually exclusive and there may be some overlap while other places may only be associated with one particular value.

While the determination of significance should be based solely on heritage values and be separate from management decisions, there are advantages to integrating identification research and management in relation to complex places with high heritage landscape values.⁹⁷ As shown by the *Bannockburn Heritage Landscape Study* outlined above, identification and research processes can be managed in conjunction with planning and management initiatives. This means that heritage research questions should not be limited to traditional registration or listing questions about significance, history, and geographical

⁹⁷ National and State Heritage Managers of Approvals and Advice (NSHMAA), *Issues associated with development proposals and heritage precincts, A discussion paper*, March 2005, p 21

boundaries, but cover issues of existing uses and future management options with communities of interest. Identifying the management issues is the first planning task for any complex heritage place in terms of preparing a heritage management assessment.

The NZHPT considers that the RMA and its planning/policy tools can be better utilised to provide improved guidance on heritage landscape values and landscapes generally. These tools may include national policy statement guidance, regional policy statement guidance, regional landscape plans, and improved provisions in district plans. As stated by the Parliamentary Commissioner for the Environment on a number of occasions, central and local government should use the RMA tools to ensure proper identification and protection of significant landscapes.⁹⁸

Historic Places Act 1993

The Historic Places Act 1954 established the National Historic Places Trust with a wide mandate to identify and preserve places, objects and things of national or local historic interest or of archaeological, scientific, educational, architectural, literary interest. In addition, the scope of the legislation included land, places, buildings, trees, sites, earthworks, rocks, outcrops, caves, natural objects (traditionally held to be identified with the history, legends and mythology of the inhabitants prior to the colonisation of New Zealand by Europeans), chattels, relics, and artefacts or things of a personal or general nature.⁹⁹

Under the Historic Places Act 1980, the NZHPT focused on the classification of historic places (largely buildings), historic areas and traditional sites. As described by Rebecca O'Brien, the NZHPT researched and classified a large number of buildings deemed to be of historic interest during the 1970s and 1980s as a result of the work of the NZHPT's Classification of Historic Buildings Committee. This Committee was responsible for the classification of some 3,414 historic buildings by 1984.¹⁰⁰ These buildings make up the core of the NZHPT's Register today.

The Historic Places Act 1993 promotes the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand. Historic places include any land, building or structure (or combination of land and buildings) that forms part of the historical and cultural heritage of New Zealand.¹⁰¹ A historic area contains an inter-related group of historic places. Places and areas are registered under section 23 of the Historic Places Act 1993 if they possess aesthetic, archaeological, architectural, cultural, historical, scientific, social, spiritual, technological or traditional significance or value. In relation to registered places, the NZHPT may assign Category I or Category II status having regard to a range of values outlined in section 23 of the Historic Places Act 1993. These values include

⁹⁸ Parliamentary Commissioner for the Environment, *Wind Power, People and Place*, 2006; Parliamentary Commissioner for the Environment, *Managing Change in Paradise, Sustainable Development in Peri-urban Areas*, 2001; Parliamentary Commissioner for the Environment, *Superb or Suburb? International case studies in management of icon landscapes*, 2003

⁹⁹ Section 3, Historic Places Act 1954

¹⁰⁰ O'Brien, R., 'Registration under the Historic Places Act 1993' unpublished paper for NZHPT Heritage Planning Summer School, January 2005, p 3

¹⁰¹ Section 2, Historic Places Act 1993

‘the extent to which the place forms part of a wider historical and cultural complex or historical and cultural landscape.’¹⁰²

While the Register remains dominated by buildings associated with the work of the Classification of Historic Buildings Committee during the 1970s and 1980s, the NZHPT has the ability to register a large variety of places, areas, wahi tapu and wahi tapu areas under the Historic Places Act 1993. For example, the Memorial to Bess marks the site of a horse which died in a horse paddock within a Manawatu pastoral landscape. The Rabbit Fence at Omaha Farm in the Wairarapa marks a boundary which was to preserve the environment from rabbit infestation and created a dividing line between pest and pest-free lands. Brancepeth Station was the largest sheep station in the Wairarapa and the registration of the place recognises the historical development of the farm from 1856 to 1950.

NZHPT Register, examples of historic places and areas		
Register No.	Name	Description
7571	Memorial to Bess Historic Place, Parewanui	The Memorial to Bess commemorates a horse that served in the Wellington Mounted Rifles Regiment in the First World War
3960	Rabbit fence Historic Place, Omaha Farm, Wairarapa	A remnant rabbit-proof fence built to assist in the control of rabbits in the Wairarapa district
7649	Brancepeth Station Historic Place, Wairarapa	The complex of Brancepeth Station includes the homestead and range of outbuildings (i.e. woolshed, stables, coach house) that represent each phase of the station’s development from 1856 to 1950.
4171	Rotowaro Carbonisation Works Historic Place, Rotowaro	New Zealand’s only low-temperature carbonisation works.
7612	Former Queen Mary Hospital Historic Place	The hospital site includes a number of buildings in addition to formal gardens and a large variety of listed heritage trees.
7545	Sew Hoys Big Beach Claim Historic Area	Part of a shingle beach on the Shotover River where Sew Hoy’s mining company had a special claim in the late 1880s
7684	Skippers Road Historic Place	Historic goldmining road at Skippers Canyon, Queenstown-Lakes district.
7573	Wellington Botanic Garden Historic Area	The historic area covers 25 hectares of public gardens
7674	Te Mana o Kupe Wahi Tapu Area	The wahi tapu area cover all of Mana Island, a large island located off Porirua Harbour

In addition to registration, the archaeological authority procedure under the Historic Places Act 1993 can apply to archaeological sites within a wider archaeological landscape. This was

¹⁰² Section 23(2)(k), Historic Places Act 1993

confirmed in the *Papamoia Junction Limited* case.¹⁰³ The case resulted from an appeal seeking to overturn a decision by the NZHPT to refuse consent for the appellant to destroy a midden (NZAA Site Record No. U14/2866). While the Court considered the actual archaeological site was not unique, its importance was recognised as part of a wider archaeological and cultural landscape. As commented by the Court:

We accept the evidence of Dr Darmody that Maori who once lived in the dune plain of the Papamoia area had a distinct way of life that is an important part of New Zealand's history. The area is significant, in that it is of a nature and character that can be expected to help people now and in the future to understand and interpret this history, especially when viewed in the wider context of the pattern of occupation of the dune plain on the one hand, and of the higher land reaches within the Papamoia Hills on the other.

As regards relevant cultural values, knowledge and disciplines, we consider that the portion of the site at issue is sufficiently important to warrant protection...The assemblage of registered sites which marks the ancient area of Maori occupation known as Te Houhou, is of deep cultural significance to the tangata whenua. The knowledge and disciplines of the tangata whenua are strongly linked with the area. Against that background, the portion of the site within the company's land warrants protection in the main, having regard to the purpose and principles contained in section 4 of the Historic Places Act 1993, including safeguarding the options of present and future generations and the relationship of Maori and their cultura and traditions with the area.¹⁰⁴

The *Papamoia Junction Limited* case confirmed the importance of the archaeological landscape, its contribution towards a wider cultural landscape, and the ability of the archaeological authority process to protect this landscape in certain circumstances. Other methods to protect archaeological landscape values include conservation plans, covenants, and protection under the RMA. As provided for in the definition of historic heritage, the tools provided under the RMA can ensure the protection of the surroundings associated with natural and physical resources, including archaeological sites.

Conservation and reserve legislation

The Conservation Act 1987 and the Reserves Act 1977 are the primary legislation in relation to protected landscapes. Both laws can provide for the protection of large areas of land and sea and also specific places. Other relevant laws include the Land Act 1948, Forests Act 1949, National Parks Act 1980 and the Marine Reserves Act 1971. The tools under the legislation include general policies, conservation management strategies, reserve management plans, covenants, concessions, and historic reserves. For further information about the management and protection of historic landscapes on reserve land, contact the Department of Conservation.

¹⁰³ *Papamoia Junction Ltd v Pouhere Taonga (New Zealand Historic Places Trust)*, Environment Court, A56/2005

¹⁰⁴ *ibid*, p 14

Molesworth Station, South Marlborough

The 180,476ha Molesworth Station is New Zealand's largest farm. It is owned by the Crown and managed by the Department of Conservation. The Station was associated with Maori and formed part of a network of trails during the summer to the West Coast via the Upper Wairau or Awatere valleys, Tardale and Lake Tennyson. With European settlement and pastoral farming during the 1850s, the area became the main inland route between Nelson/Marlborough and North Canterbury. The cob accommodation houses at Tophouse, Rainbow, Tardale and Acheron are associated with the historic inland route.

Molesworth Station today is an amalgamation of four separate pastoral leases - Molesworth, Tardale, St Helens and Dillon - abandoned to the Crown between 1938 and 1949 because of rabbit infestation, stock losses in snowfalls, and economic recession. The station has remained in Crown ownership and gradually recovered from its earlier desolation, thanks to extensive rabbit control and over-sowing of some 37,000 ha in the 1950s and 60s. The Station currently carries up to 10,000 head of cattle and around 90,000 sheep.

On 18 December 2004, the government announced the transfer of Marlborough's Molesworth Station from Land Information New Zealand (LINZ) to the Department of Conservation. Since the transfer the Department of Conservation has engaged in considerable conservation works, including archaeological surveys, the repair of Molesworth Cob Cottage and the repair and maintenance of the Acheron Accommodation House.

Queen Elizabeth the Second National Trust Act 1977

The Queen Elizabeth the Second National Trust Act 1977 established the QEII National Trust to encourage and promote the provision, protection and enhancement of open space for the benefit and enjoyment of the people of New Zealand. Open space means 'any area of land or body of water that serves to preserve or facilitate the preservation of any landscape of aesthetic, cultural, recreational, scenic, scientific, or social interest or value.'¹⁰⁵ The QEII National Trust Board has a range of functions under section 20 of the Act to encourage and promote the provision, protection, preservation and enhancement of open space, including undertaking a continuing review of adequacy and accessibility of all forms of public space.¹⁰⁶

With regards to rural heritage landscapes, QEII National Trust open space covenants are an important method of protecting landscapes. Open space covenants are designed to preserve or facilitate the preservation of landscapes of aesthetic, cultural, recreational, scenic or social interest or value.¹⁰⁷

¹⁰⁵ Section 2, Queen Elizabeth the Second National Trust Act 1977

¹⁰⁶ Section 20(2)(c) Queen Elizabeth the Second National Trust Act 1977

¹⁰⁷ For further information on open space covenants, contact QE II National Trust: <http://www.qe2.org.nz/>

Local Government Act 2002

The purpose of the Local Government Act 2002 is to ‘provide for democratic and effective local government that recognises the diversity of New Zealand communities’.¹⁰⁸ It allows ‘local authorities to play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach.’¹⁰⁹

The Local Government Act 2002 provides tools for planning, decision-making and accountability at the regional and district level. Critical to the regime is the process for identifying community outcomes and the Long Term Council Community Plan (LTCCP). The intention of the community outcomes process is to ‘provide opportunities for communities to discuss their desired outcomes in terms of the present and future social, economic, environmental and cultural well-being of the community.’¹¹⁰ These outcomes are described in the LTCCP which provides a long-term focus for the decisions and activities of local authorities. In addition, the Local Government Act 2002 defines a number of principles of consultation and the use of special consultative procedures.

Heritage landscape values could and should be prominent with LTCCPs as an important aspect of social, economic, environmental and cultural well-being. In addition to the LTCCP, local authorities can prepare a range of strategic planning documents to promote heritage landscape values. Depending on the issues involved, large and complex places with heritage landscape values require a greater level of planning intervention and management than ordinary land. The planning and design tools should be initiated at the non-regulatory level in the first instance and involve such techniques as a concept plan, community plan, conservation plan, design guide, or structure plan. The range of techniques and options should be signalled in the heritage management assessment.

The structure plan is a particularly useful tool for a large and complex heritage landscape as it can ensure guidance, identification and coordination of all development within a defined area. Guidance on structure planning is available on the Quality Planning website.¹¹¹ Structure plans for heritage landscapes should ensure the main aspects of the landscape assessment are integrated into the plan, especially:

- The essential characteristics of the place and its heritage landscape values.
- The detailed landscape description according to the heritage landscape assessment.
- The detailed heritage landscape characterisation survey.
- The key issues arising from the landscape assessment.

Structure plans should provide for best practice identification tools. These tools will involve methods familiar to planning practitioners and have been promoted via the Quality Planning website and the urban design protocol publications. For example, the *Urban Design Toolkit* provides information about a range of research, analysis and community participation tools

¹⁰⁸ Sec 3, Local Government Act 2002

¹⁰⁹ *ibid*

¹¹⁰ Sec 91(2)(a) Local Government Act 2002

¹¹¹ <http://www.qualityplanning.org.nz/plan-topics/structure-planning.php>

such as survey and behaviour observation, legibility analysis, design workshops, mapping and scenario building.¹¹²

It is important that this information is formatted in a style and medium that can be easily understood by the general public. The structure plan can also provide guidance on anticipated subdivision patterns, advertising and signage. For example, within a heritage townscape, the structure plan should identify:

- Historic buildings and structures that are to be preserved.
- Elements of the original town plan or street layout that are to be preserved.
- Elements of the streetscape, parks and reserves that are to be preserved.
- Areas or allotments where new buildings will be appropriately managed.
- Appropriate roading and landscaping guidance.
- Guidance for appropriate advertising and signage.
- Appropriate subdivision patterns.
- Views of and from a townscape.

¹¹² MFE, *Urban Design Toolkit*, February 2006

Overseas Investment Act 2005

In 2002, Te Kuri a Paoa/Young Nick's Head Station was sold to overseas interests. The sale was opposed by local tangata whenua, Ngai Tamanuhiri and many others who advocated that places of national significance should remain in the ownership of New Zealanders. As a consequence of the Te Kuri a Paoa/Young Nick's Head Station issue and other overseas investment related issues, the overseas investment rules and process were reviewed leading to the Overseas Investment Act 2005.

The purpose of the Overseas Investment Act 2005 is to acknowledge that it is a privilege for overseas persons to own or control sensitive New Zealand assets. This is achieved by requiring consent for overseas persons to make an overseas investment in sensitive land and imposing conditions on overseas investments.

Guide No. 8 of the NZHPT's Sustainable Management of Historic Heritage series provides an overview of the Overseas Investment Act 2005 and its implications for historic heritage. It is noted in the guide that the Act contains a number of tools to identify and protect historic heritage including the conditions for conservation (including maintenance and restoration) and access and heritage covenants.

Crown Pastoral Land Act 1998

The South Island High Country is a special and important cultural landscape. It is changing in response to a number of variables, including tenure review as provided for by the Crown Pastoral Land Act 1998. The 'High Country' (or South Island High Country) is the term used to describe the predominantly tussock-covered sub-alpine, upper river valley and inter-montane basin country to the east of the South Island's Main Divide. This includes 304 pastoral leases totalling 2.17 million hectares. Such agreements operate on the basis of 33 year perpetually renewable leases to graze, in return for annual rentals based on 2.25% of unimproved land value.

Tenure review is the process by which pastoral lease tenure will be phased out. The lessees can freehold much of the more productive lower altitude areas in exchange for the surrender of the higher altitude areas and other lands of significant inherent value (i.e. identified as possessing conservation, heritage, landscape and recreational values worthy of protection) back to the Crown. The surrendered lands pass into the conservation estate.

Tenure review and the management of pastoral leases generally are regulated under the Crown Pastoral Land Act 1998. The objectives of the Act include sustainable ecological management, promoting economic use, protection of significant inherent values, and public access.

As part of the Sustainable Management of Historic Heritage series, the NZHPT has prepared a discussion paper (discussion paper No. 5) on the tenure review process and issues for historic heritage. The NZHPT considers that the tenure review process has failed to ascertain any clear goals in terms of heritage landscape protection specifically and High Country landscape protection generally. Areas of freehold land are particularly vulnerable to subdivision and development, associated with more intensive agriculture, tourism and lifestyle holdings. Further, the current tenure review process is not consistent with best

practice in resource management and sustainable development. Major landscape change processes must be informed by a public policy framework that is managed at a level closest to the communities of interest.

The NZHPT advocates for changes to tenure review and the introduction of new planning mechanisms to provide for regional landscape strategies and local landscape structure plans.

Treaty Settlement Legislation

A range of Treaty settlement legislation has become a major method to recognise and provide for landscapes of significance to iwi and hapu. Since 1998, the legislation has generally followed the Ngai Tahu Claims Settlement Act model with the provision for statutory acknowledgements. Statutory acknowledgements are provisions in legislation which require particular decision-makers to have regard to the association of iwi with. The are places or statutory areas with particular cultural, spiritual, historical and traditional associations. Statutory areas may be land, landscapes, lakes, rivers, wetlands, and coastal marine areas. Seventy statutory acknowledgement areas are listed in Schedules 14 to 77 of the Ngai Tahu Claims Settlement Act. Examples of statutory acknowledgement areas include Okarito Lagoon, Lake Hauroko, Kaikoura coastal marine area, and the Otago coastal marine area. Section 208 of the Act requires that consent authorities must have regard to the statutory acknowledgement in forming an opinion on 'whether Te Runanga o Ngai Tahu is a person who will be adversely affected by the granting of a resource consent' under the RMA.¹¹³ In addition to statutory acknowledgements, the Ngai Tahu Settlement legislation introduced designation of particular areas as topuni. Topuni are areas of conservation land that have particular cultural, spiritual, historic or traditional associations. Fourteen topuni are listed in the schedule of the Ngai Tahu Settlement Act 1998. These areas include Aoraki/Mount Cook, Takitimu Range, Tapuae o Uenuku, and Te Koroka.

The statutory acknowledgements and topuni provided under Treaty settlement legislation have become a major method to recognise and provide for areas of significance to iwi and hapu. While there is a requirement to have regard to these areas in the resource consent process under the RMA, the NZHPT considers that the Treaty settlement legislation provides an opportunity for enhanced landscape planning. This could be achieved, for example, by the preparation of an iwi management plan for each statutory acknowledgement area. This planning instrument would provide for greater guidance for land and water use decisions-making as provided for in regional and district plans.

Special Legislation

Special legislation has a significant role in the sustainable management of heritage landscape values. A large number of historic places and areas are currently managed under a range of special legislation. Much of this legislation relates to specific historic reserves or public facilities. For example, the National War Memorial Act 1992 provides for preservation and maintenance of the National War Memorial in Buckle Street, Wellington, as a national monument to those who gave their lives in service of their country. The Canterbury Museum Trust Board Act 1993 is another example of special legislation that provides for the maintenance of the historic Canterbury Museum buildings.

¹¹³ Section 209, Ngai Tahu Claims Settlement Act 1998

Large areas have also been recognised by special legislation. The Hauraki Gulf Marine Park Act 2002 recognises the national significance of the Hauraki Gulf for its ecological, historic, traditional, and cultural importance. The Act requires the policy and planning tools under the RMA to ensure the national significance of the Hauraki Gulf is recognised and provided for. In addition, to facilitate the management of the Hauraki Gulf, the Act establishes the Hauraki Forum to ‘to integrate the management and, where appropriate, to promote the conservation and management in a sustainable manner, of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, for the benefit and enjoyment of the people and communities of the Gulf and New Zealand.’¹¹⁴

Parliament is currently considering the Waikakere Ranges Heritage Area Bill. This Bill aims to establish the Waitakere Ranges heritage area which comprises 27,720 hectares of public and private land.¹¹⁵ In 2005, more than 21,000 people lived within the area. The existing wording of the Bill (dated 23 May 2007) recognises the Waitakere Ranges heritage area as of local, regional and national significance. The heritage values of the area include terrestrial and aquatic ecosystems, lowland and coastal rainforest, visual backdrop to Auckland city, and its association with Maori and European settlement history.

The Bill provides mechanisms for more certain and effective planning, resource management and decision making in relation to the heritage area. These mechanisms include a provision that regional and district plans must have particular regard to the purpose of the legislation and the adoption of local area plans or LAP. Local area plans are prepared by the territorial authority to provide for future amenity, character and the environment. A local area plan must define the local area, identify the extent and nature of the existing heritage features, and identify any distinctive natural, cultural or physical qualities or characteristics of the area that contribute to the local area’s long term pleasantness or aesthetic coherence and cultural or recreational attributes. Further the local area plan must state policies and objectives in relation to the amenity, character and environment of the area. The adoption of a local area plan does not legal bind a territorial authority, however, if a decision of a territorial authority is significantly inconsistent with a local area plan, it must clearly identify and explain the inconsistency and the reason for the inconsistency and any intention it has to amend the local area plan to accommodate the decision.

¹¹⁴ Section 15, Hauraki Gulf Marine Park Act 2002

¹¹⁵ Waitakere Ranges Heritage Area Bill, 23 May 2007

Appendix 1: Principles for the identification and management of cultural values in landscapes

Dr Janet Stephenson, *A framework for understanding and linking multiple cultural values in landscapes*, unpublished PhD Thesis, University of Otago, April 2005, pp 343-347

Principles for identifying landscape values

1. The recognition and conservation of values in landscapes is vital to sustaining our distinctive cultures and communities, and our identity as a nation.
2. The process of heritage landscape identification and management will require strong leadership and facilitation skills. The leadership role will involve bringing together multiple parties and many sources of information about the landscape, and assisting stakeholders to achieve agreed management outcomes.
3. The recognition and management of values in landscapes requires:
 - A **holistic** approach, seeing values as linked and interrelated within the landscape rather than as individual sites or places.
 - A **community-based** approach, recognising that landscape value can be fundamental to local, tribal and national identity.
 - A **relationships** approach, seeing values as arising from past and present, relationships between people and the landscape, and between people within the landscape
 - An **inclusive** approach, recognising that landscape values overarch traditional divisions between nature and culture, and between objectivity and subjectivity.
4. Valued aspects of landscapes may include:
 - The natural-cultural continuum of features
 - The natural-cultural continuum of processes
 - Historical events within the landscape
 - Evidence of earlier layers of features, uses and associations
 - Both contemporary and past practices within the landscape
 - The relationships with the landscape held by groups associated with it (e.g. iwi/hapu and communities living in the landscape)
5. Relationships with a landscape may include:
 - Spirituality, sacredness

- Whakapapa/genealogical connections
- Stories and songs relating to the landscape
- Art and craft that has arisen from the landscape
- Names in the landscape
- Traditions and practices relating to the landscape
- Sensual or aesthetic responses
- Cultural or community identity
- Evidence of the past
- Sense of place

6. The multiple values of landscapes may be ascribed by:

- Those communities and hapu/iwi that live within or have a particular relationship with the landscape (including land owners).
- Sector groups and agencies that view, use, manage or have other interests in the landscape.
- Disciplines that have an interest in landscape (e.g. landscape architects, archaeologists, ecologists, historians).

All of these values need to be taken into account in assessing the significance of landscapes and in their management.

7. To understand the values implicit in a landscape, research is required to determine the following:

- Valued relationships:
 - Contemporary relationships between people and the landscape
 - Past relationships between people and the landscape
- Valued events, practices and processes:
 - Contemporary practices relating to the landscape.
 - Historical events and activities which occurred in the landscape.
 - Traditional practices relating to the landscape.
 - Natural processes associated with the landscape.
- Valued forms of the landscape.
- The dynamic interactions between forms, practices and relationships.
- The ways in which these values are spatially associated with the landscape, with a focus on:
 - Nodes
 - Networks
 - Spaces
 - Webs
 - Layers

Such research will involve actively engaging with all those who ascribe values to a particular landscape and drawing together information as to the value groupings described above.

8. There is no single prescribed method of capturing and conveying values in landscapes. While mapping (including GIS) can be useful, its ability to capture subjectivities and non-located values is limited. Other forms of expression, including abstract diagrams, art, song and text, may be required to supplement mapped information. The key is to ensure that the range of values expressed is adequately taken into account.
9. The range of values implicit in any given landscape may not be necessarily be consistent or aligned. Different values add to the richness and complexity of the landscape. Resolution of conflicting values should occur during the development of a management approach rather than at the stage of gathering information.

Principles for managing landscape values

1. Landscapes cover extensive areas, involving single or multiple owners. In seeking to recognise cultural values in landscapes, the owners must be involved in the processes of identification and the development of management approaches.
2. The people who live in and associate with a landscape have a primary interest in its future. Any actions to recognise and manage landscapes must be developed in association with the people of that landscape.
3. Standard conservation approaches may be inappropriate the management of valued landscapes, particularly where they are extensive and/or occur on privately owned land. Instead, a sustainable development approach may be more appropriate, conserving the valued aspects of the landscape while seeking to ensure the economic, cultural and environmental sustainability of the landscape as a whole.
4. The sustainable management of landscape values may require partnerships between owners, iwi/hapu, communities, interest groups, professional disciplines, agencies and the commercial sector. The foundation for any partnership should be mutual respect and a common interest in the landscape, accepting that full significance arises from the totality of values.
5. By being informed as to the range of values implicit in the landscape, better decisions can be made as to the form and location of new activities and developments. In particular, an understanding of the interactions between forms, relationships and practices, and an appreciation of the embedded as well as the surface values, can help to ensure that change processes enhance and reinforce landscape values rather than detract from them.