BY **NEIL CARRIE**, SENIOR PLANNER, HERITAGE AND URBAN DESIGN, CITY DEVELOPMENT GROUP, CHRISTCHURCH CITY COUNCIL

HISTORIC AND CULTURAL HERITAGE MANAGEMENT

WHAT HAS BEEN ACHIEVED

- WHERE ARE WE GOING?

The Parliamentary Commissioner for the Environment investigated and reported in "Historic and Cultural Heritage Management in New Zealand (June 1996), on nation-wide concerns at the lack of integrated heritage management in New Zealand.

There have been a number of initiatives that followed from this report and its recommendations. Extensive public and professional consultation was carried out through the Department of Conservation's "Historic Heritage Management Review" (1998-99). This was followed by the Department's Policy paper on Heritage Review issues for consideration in the proposed Resource Management Amendment Bill (1999) and the progression of the Amendment Bill through the Parliamentary process and Select Committee.

What has been achieved towards implementing the recommendations of these Reviews? Have we progressed the integration and consistent management of heritage in a legislative, political and planning context? What more should we be doing to further the aims and address the principal issues of heritage management in New Zealand in the future?

This review of developing heritage management and planning is from the perspective of a Local Authority practitioner.

The Parliamentary Commissioner for the Environment's Report

The PCE report identified a number of critical issues and recommendations, which included:

• the lack of integrated and transparent national and regional heritage policies and strategies

• the lack of a clear responsibility of the NZ Historic Places Trust for heritage advocacy and promotion.

• the lack of a clear mandate for heritage identification and assessment of historic places through the Historic Places Act (HPA) and protection through the Resource Management Act.

• the omission of heritage values from matters of national importance (s6 RMA)

• that Territorial Authorities have the primary protection role for historic and cultural heritage under the RMA.

• that the processes and criteria for registration under the RMA and the HPA are inherently different

• the desirability of placing archaeological provisions within the RMA

• the need to establish a new unit of government responsible for historic and cultural heritage

The Historic Heritage Management Review

The Department of Conservation conducted an extensive public consultation review on heritage management that included "A Discussion Paper for Public Comment" (January 1998); "Summary of Analysis of Public Submissions" (October 1998); "Report of the Ministerial Advisory Committee" (October 1998) and the "Summary Analysis of Submissions on the Report of the Ministerial Advisory Committee" (May 1999). Numerous options identified with issues in the PCE report were canvassed. These options were far from internally consistent and from my experience with assisting public groups with submissions, required a professional understanding of heritage management outside the expertise of community groups.

The Ministerial Advisory Committee made a number of detailed recommendations that included:

• That the RMA be the principal regulatory tool for the protection of historic Heritage

• That the RMA be amended to enhance its provisions applicable to historic heritage

• That there be a requirement for a National Policy Statement for heritage under the RMA to address the lack of a national strategy and international heritage obligations

• That the contents of a NPS should include Policies to achieve the purposes of the RMA in relation to heritage management, methods, criteria and interpretive guidance for regulatory and non-regulatory protection, criteria and interpretive guidance for identification, assessment and decision making for a national heritage schedule, effective participation by Maori and monitoring procedures.

• That the NZHPT be retained as an advocacy and public membership organisation without statutory powers

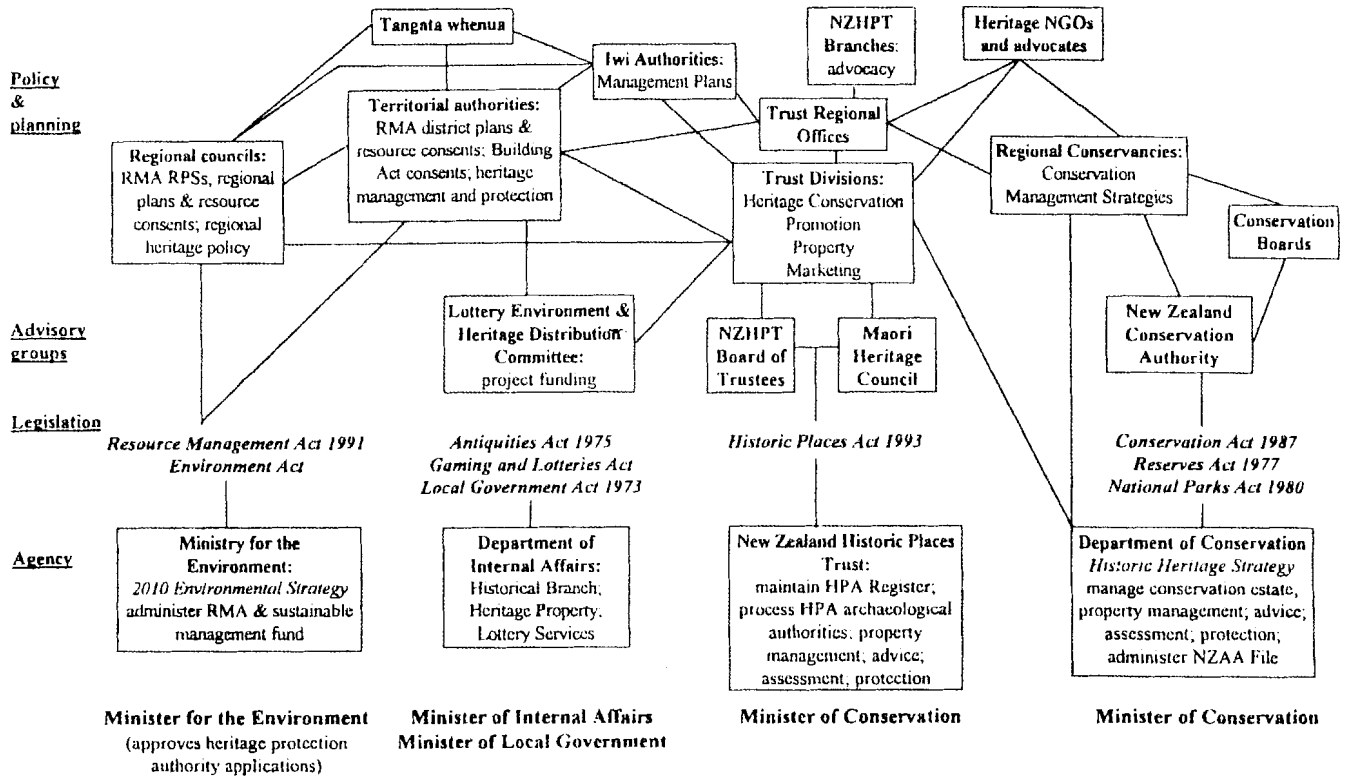• That a distinct Maori Heritage agency be established

Table 1: Schematic diagram of historic and cultural heritage legislation and agencies.

• That a Ministry of Culture and Heritage be established as the primary source of policy and advice to the Government.

The Historic Heritage Review - Resource Management Amendment Bill

The Department of Conservation, Conservation Policy Division issued this discussion paper based on the Ministerial Advisory Committee's policy recommendations from the heritage management review. Particular recommendations included:

• Adding to the RMA a definition of historic heritage and including protection of historic heritage as a s6 matter

• That a National Policy Statement on historic heritage be developed within the RMA provisions for an NPS

• For the NPS to include a National schedule but to retain the regulatory functions associated with local heritage schedules and their established identification processes to be retained.

• Transitional and full provisions for the transfer of archaeological authority to the RMA

The Resource Management Amendment Bill (1999)

The RM Amendment Bill included only two

significant heritage matters

• Adding to the RMA a definition of historic heritage and including protection of historic heritage as a s6 matter

• The transfer of statutory archaeological authority from the HPA to the RMA

The Select Committee in relation to these matters, recommended to Parliament only a definition of historic heritage and the inclusion of heritage as a s6 matter of national importance.

SUBSEQUENT ACTIONS

A Ministry of Culture and Heritage was established. The present regulatory functions of the NZHPT under the Historic Places Act 1993 (HPA) were retained and the supply of Government heritage functions was confirmed subject to conditions including:

• Reorganisation of the management structure of the Trust

• Upgrading of the Historic Heritage Register

• Upgrading of the NZ Archaeological Association's site records (which provide the basis for the regulatory archaeological functions of the NZHPT).

While a conservative approach from the

Government generally to the RM Amendment Bill was to be expected, the principal reasons for the retention of the NZHPT's regulatory and non-regulatory functions by the Government appeared to be largely political. In this respect, the overall outcomes for effective heritage management identified by the Heritage Reviews since 1996 seem to have been ignored. The maze of government, NGO and Territorial Authority responsibilities for heritage management under a multiplicity of statutes was compounded by the creation of a further Ministry and the continuation of an NGO, the NZHPT, albeit with a modified structure.

NATIONAL HERITAGE ISSUES

Apart from the inter-governmental and statutory issues there have been a number of issues that have consistently featured in the heritage management reviews of the late 1990's which do not appear to be progressing - at least within a national, professional or community context.

A National Policy Statement (NPS) on Heritage

The DOC Reviews and discussion paper on the RM Amendment Bill consistently dealt with

❝ TO BETTER ACHIEVE AN INTEGRATED AND COMPREHENSIVE APPROACH TO HERITAGE MANAGEMENT THE CONTINUING DIFFICULTIES WITH STATUORY AND GOVERNMENT AGENCY RESPONSIBILITIES NEED ALSO TO BE PROPERLY ADDRESSED **❞**

this mechanism in the RMA as the appropriate means for promulgating national, professional standards of heritage management, particularly with regard to the identification, assessment and monitoring of heritage listings. The RM Amendment Bill has promoted improvements to the NPS process. There has been no move to eliminate the NPS model for national planning standards which might have inhibited the immediate development of a heritage NPS.

National and Local Heritage Registers

The form and status of national and local heritage listings remains uncertain and with regard to the DOC Review, the aims are clearly inconsistent. If Regional and District Plans under the RMA reflect a community based planning model then how can the most important heritage in a community be identified with a national NGO whose statutory powers are the HPA and not the RMA?

The Heritage Identification, Assessment and Monitoring Process

The PCE report detailed a number of differing heritage assessment initiatives taken by Territorial Authorities for listing under the RMA. The methodology and standard of identification and assessment provided by the NZHPT National Register was seen as inconsistent with the transparent, rigorous and legal defensible public process required under the RMA. The PCE report implied that the limitations of the National Register were the quality of the information. I disagree. The matters needing to be carefully addressed, tested and monitored in an RMA context include - the methodology (if value assessments are seen as appropriate) in terms of the scope and definition of criteria; the finiteness of criteria to avoid double counting; the nature of the value assessment process; the methodology including weighting used for the cumulative value of criteria; the methods of ensuring consistent assessments; the appropriateness of the model for

the type of heritage and the match with community and professional values. National agreement and understanding of these processes would provide a means of ensuring that any division of responsibility, regulatory and fiscally would be on the basis of comparable national and local value assessments. Local community value assessments of heritage could encompass the scope of criteria within the national model, which were deemed to be of value to the local community.

The Heritage Recording Process

National standards for the recording of heritage are not consistent or are inappropriate. The continuing use of multiple property identifiers (Street number, name, legal description) as the primary record of a protected item is unacceptable. Such identifiers are often inconsistent and also change over time. The NZHPT heritage database uses Valuation Roll numbers as a primary key. These are liable to change. The Environment Court has been specific in rejecting these property parameters as denoting the protected item (McFarlane v Christchurch City Council [1999] NZRMA 365). The referencing of archaeological sites to the NZ Map Grid and to impermanent geo-physical markers is unsatisfactory. Christchurch City is using spatial entities within a GIS system with a unique identifier as the primary key for identifying ❧ protected heritage items, including archaeological sites (with the NZAA) because of the failure of traditional recording systems.

CONCLUSIONS

The intention to improve New Zealand's heritage outcomes and reduce the complexity of the statutory and government agency responsibilities was a realistic objective for the heritage reviews of the 1990s. Has there been a substantive benefit from the considerable time and effort? Have we properly realised any improvements to the heritage planning and

management processes targeted by the reviews?

While I have addressed only a small number of heritage issues in this paper, I would have to say no - we are probably little better off than before, perhaps in some respects we are in a worse position. The introduction of the Long Term Council Community Plans of the Local Government Bill will provide the opportunity for some new initiatives. There are both regulatory and non-regulatory mechanisms currently available, such as RMA National Policy Statements, to better address many of our national heritage issues in the future. However, to better achieve an integrated and comprehensive approach to heritage management the continuing difficulties with statutory and government agency responsibilities need also to be properly addressed. ∎

CONFERENCE: URBANISM DOWN UNDER 2003 CONFERENCE

This conference will harness the experiences of Australasian and northern hemisphere practitioners in the art and science of transforming car-based sprawling suburbs into attractive, walkable communities. The conference will be multi-disciplinary, illustrating the mix of professional skills essential to creating liveable towns and cities - urban design, architecture, landscape design, planning, economics, transport, community development and communications.

Case studies, tools and techniques will offer workable ideas for engaging communities and politicians, refining design solutions and proving good design pays dividends.

Conference Themes

Designing for Change - transforming existing cities: retrofitting, redevelopment and suburban revitalisation through urban design

Leading Change - the reality, the politics, leading city transformations

Profiting from Good Design - the economics of sustainable redevelopment, innovative public/private partnerships

Community Voices - engaging communities in design and change

Where: Sky City Centre, Downtown Auckland,

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