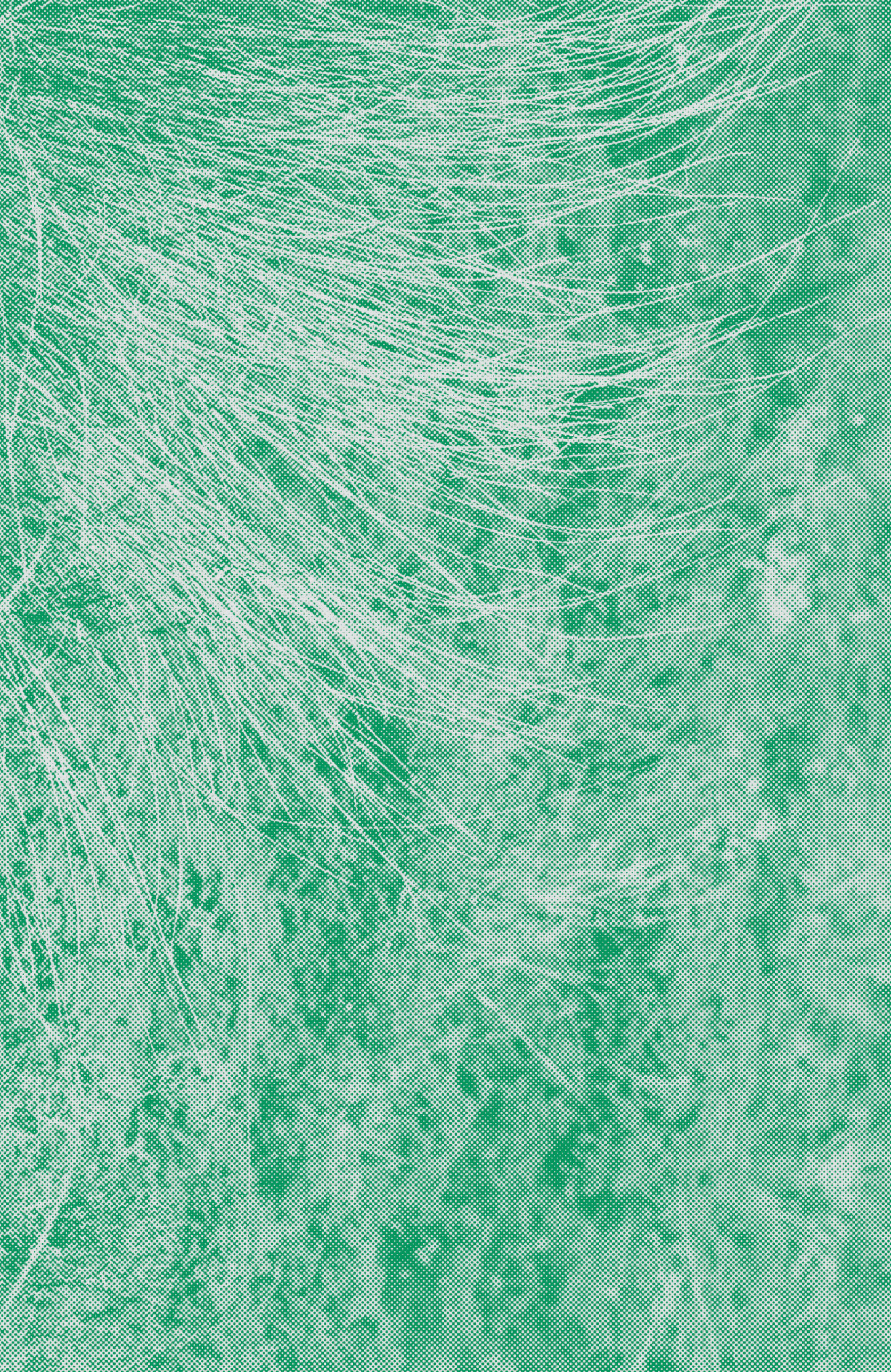
Te Tangi a te Manu

Aotearoa New Zealand
Landscape Assessment Guidelines

Tuia Pito Ora
New Zealand Institute
of Landscape Architects



Te Tangi a te Manu
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Aotearoa New Zealand Landscape Assessment Guidelines

Guidelines for landscape assessment in a statutory planning context including:
— landscape character and values
— landscape effects
— outstanding natural features and landscapes
— natural character

Reference Guide
These Guidelines should be referred to as 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.

Any acknowledgment of the authors, such as for research purposes, should name all three: Gavin Lister, Rachel de Lambert, Alan Titchener.

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Kupu Whakataki

Preface

Whakarongo ake au ki te tangi a te manu nei,
a te mā-tui;
Tui, tui, tui, tuia.

Tuia i runga, tuia i raro;
Tuia i roto, tuia i waho.
Tuia te here tangata;
Ka rongo te ao, ka rongo te pō.

Tuia te muka tangata i takea mai i Hawaiki-nui,
i Hawaiki-roa, i Hawaiki pāmāmao.
Te hono i wairua;
Ki te whai ao, ki te ao marama.

Tihei Mauri Ora!

I listen to the cry of the mā-tui;
Binding and uniting.

Binding that which is from above, with that below;
Binding that which is from within, with that outwards;
Binding together the threads of people;
Through the peace of day, through the peace of night.

Binding the threads of humankind, from the great homeland,
from the far homeland, from the remote homeland
Connecting with the spirit;
From the world of light, and the world of consciousness.

Behold the sneeze of life!

This tauparapara reflects the call-and-reply of the mā-tui (bush wren). It expresses the intent that these Guidelines promote a Te Ao Māori and Te Ao Pākehā partnership approach to landscape, binding together the layers of people and land across time and place: past, present, and future.

Whilst previous assessment approaches have been built on the physical, associative, and perceptual realms of landscape, these Guidelines go further to promote integration of Te Ao Māori—our unique indigenous worldview—as a keystone of Aotearoa practice. In doing so, we have sought to ensure that both tāngata whenua and tāngata tiriti values and perspectives are captured and equally shared and understood.

The distinct nature of Aotearoa landscapes influences the ways in which we identify and connect to self and place and is a vital expression of who we are and where we stand. As we continue to evolve our unique practice, we must appreciate and respect the qualities of landscapes, including our understanding of the rich intricate threads that bind landscape and people together—the ideology of whakapapa.

The principles of partnership, participation, and protection embodied in Te Tiriti are a foundation of practice towards assessing and recognising whenua and landscape. As a profession, we have a responsibility to understand and perceive landscapes appropriately, maintaining the mauri of people, place, and this whenua.

Kupu whakataki provided by Rangitahi Kawe and William Hatton.

Te Tangi a te Manu: What's in the name?

The name of Te Tangi a te Manu derives from, and connects with, the first line of the tauparapara which serves as the Kupu Whakataki, or preface, for the Guidelines.

"Whakarongo ake au ki te tangi a te manu nei, a te mā-tui
Tui, tui, tui tuia ..."

"I listen to the call of the bird, the bush wren
Binding and connecting ..."

This reference to the mā-tui is all the more poignant given that the bush wren, which once graced the ngahere (bush) of Aotearoa with its call, is now extinct.

Yet the tauparapara specifically acknowledges and harkens back to the mā-tui, perhaps as a reminder to us all of our responsibility to protect and care for the well-being of all creation.

The name also conjures up an image of an all-seeing kārearea (falcon) or kāhu (hawk) soaring and gliding effortlessly over the whenua, witnessing all that is occurring below, not least the changes made by us as players in an interconnected and interdependent world.

The use of the phrase "a te manu," as distinct from "o te manu" allows a broader interpretation beyond reference to the call, or actions, of a single bird. Rather, it acknowledges and values the many and various manu which rely on the ngahere, the repo (wetlands), the maunga (mountains), the takutai (coastlines), and the moana (ocean) that surrounds Aotearoa as their habitat.

And, importantly, it includes those species that travel annually to distant parts of the globe and return to this whenua fresh with their new-found knowledge of the world beyond our shores.

All this aligns well with the philosophical approach of the Guidelines, which, among other things, allow for different ways of looking at and thinking about landscape, depending on context and purpose.

And it is the inherently harmonious calls of all these manu taketake (indigenous birdlife) which enrich our environment with our own special reo taiao (language of the natural world), the primary language of Aotearoa, that these Guidelines embody.

Nō reira...
Whano, whano,
Hara mai te toki
Haumi e!
Hui e!
Taiki e!

To conclude...
Travel, journey,
Return and share
Join!
Gather!
Unite!

Above: Nikau
Image: Jane Galloway

Acknowledgements

Many people have contributed to Te Tangi a te Manu (the ‘Guidelines’):

The Guidelines update and replace the 2010 Best Practice Note authored by Frank Boffa and Simon Swaffield, which in turn drew on practitioner workshops held in 2008 and 2009.

The current review originated with an initiative by then Tuia Pito Ora New Zealand Institute of Landscape Architects President, Shannon Bray, and an open tender for a landscape assessment methodology issued by the Ministry for the Environment in 2016—a contract that was awarded to a joint Isthmus Group-Boffa Miskell proposal. When funding was withdrawn prior to the commencement of that project, Rachel de Lambert and Gavin Lister undertook to produce the Guidelines on a voluntary basis.

The authors sought the profession’s collective wisdom through the following research:

— A review of ‘case law.’ This has been issued as a separate document and is intended to be maintained as a live resource. It reveals a remarkably coherent set of landscape principles largely drawn from court decisions on professional evidence.
— A review of the findings of Landscape Assessment Methodology (LAM) workshops held in November 2017. Those Tuia Pito Ora workshops were facilitated by David Serjeant and the late Judge Gordon Whiting, the results of which were collated and summarised by Lizzie Burn. The authors’ responses to the findings of those workshops, and their incorporation into the Guidelines, are detailed in a background document.
— A review of other guidelines in New Zealand and overseas, also summarised in a separate background document.[1] As well as providing depth and breadth of knowledge, this review helped place Aotearoa practice in an international context.
— Input by our Boffa Miskell and Isthmus Group colleagues. We acknowledge the support and on-going commitment of both practices throughout the project.

Draft Guidelines were crafted with Te Tau-a-Nuku, a collective of Māori landscape architects and whānau kaupapa who support kaupapa Māori approaches to the recognition, evaluation, design, and management of Aotearoa’s landscapes.[2] Alan Titchener (Ngāi Tahu, Kāhui Whetū Ngā Aho) joined the authorship to ensure that Te Ao Māori values and perspectives were integrated meaningfully. Te Tau-a-Nuku and the authors share an ambition that the Guidelines provide a framework that accommodates both Te Ao Māori (a Māori worldview and consciousness) landscape perspectives and those derived from Te Ao Pākehā perspectives.[3]

The draft developed with Te Tau-a-Nuku was then reviewed with a small practitioner peer review group comprising Stephen Brown, Bridget Gilbert, Di Lucas, and Alan Titchener. The drafts were reviewed separately by Simon Swaffield (from an academic perspective and as one of the authors of the 2010 Best Practice Guide), and David Serjeant (from a planning perspective and as external facilitator of the 2017 LAM workshops). Members of the Ngā Aho Executive also provided tātari matua (peer review).

Written feedback on the draft Guidelines was then provided by Institute members (and others) following nine branch workshops held in February 2021 in Christchurch, Queenstown, Auckland, New Plymouth, Nelson, Wellington, Tauranga, Napier, and Whangarei. Those who participated in the workshops and/or who provided written feedback and personal comments on the draft Guidelines include:

Melean Absolum, Rachael Annan, Amanda Anthony, Clive Anstey, Rose Armstrong, Megan Ash, Jade Au Morris, Meg Back, Richard Bain, Monica Bainbridge, Geraldine Bayly, Sara Bell, Chris Bentley, James Bentley, Philip Blakely, Frank Boffa, Sam Bourne, Matthew Bradbury, Shannon Bray, John Brenkley, Natalie Buhler, Simon Button, Lynn Cadenhead, Melanie Cameron, Chris Campbell, Naomi Campbell, Tom Carter, Dave Charnley, Blair Clinch, Simon Cocker, David Compton-Moen, Brad Coombs, Benoit Coppens, Andrew Craig, Naomi Crawford, Rebecca Cray, Henry Crothers, Chris Davidson, Renee Davies, Andrea Davis, Melissa Davis, Shannon Davis, Georgia Dean, Richard Denney, Graham Densem, Leona de Ridder, Jo Dey, Martha Dravitzki, Emily-Rose Dunn, Grant Edge, Ben Espie, Lawrence Elliot, Boyden Evans, Mike Farrow, Bron Faulkner, Erin Fitzpatrick, Hugh Forsyth, James French, Liz Gavin, Bridget Gilbert, Rhys Girvan, Kim Goodfellow, John Goodwin, Alan Gray, Richard Greenwood, Erin Griffith, William Gumbley, Catherine Hamilton, Richard Hart, William Hatton, Christine Hawthorn, Jeremy Head, Jason Hogan, Kathryn Holyoake, Gabrielle Howdle, John Hudson, Josh Hunt, Ashleigh Hunter, Rudolf Iseli, Rebecca Jerram, Ralph Johns, Matt Jones, Chris Judd, Rangitahi Kawe, Peter Kensington, Chelsea Kershaw, Caitlin Lambert, Tim Lander, Rory Langbridge, Bridget Law, Gill Lawson, Matt Lester, Mark Lewis, Tom Lines, Melanie Lovell, Di Lucas, Rebecca Lucas, Kris MacPherson, Angela McArthur, Shona McCahon, David McDermott, Daniel McEwan, David McKenzie, Jessica McKenzie, Kylie McLaughlin-Brown, James McLean, Dave Mansergh, Helen Mellsop, Mathilde Menard, Alan Mestrom, Fraser Miller, Mike Moore, Tracey Moore, Tom Morrison, Leicester Murray, Angie Nelson, Christine Niblock, Gerard O’Connell, Dustyn O'Leary, Georgina Olsen, Craig Pauling, Matt Peacocke, Sally Peake, Yvonne Pfluger, Luke Porter, John Potter, Helen Preston-Jones, Stephen Quin, Paul Quinlan, Nick Rae, Alayna Rā, Robin Rawson, Alistair Ray, Nicola Rees, Richard Reid, Ant Rewcastle, Jill Rice, Tim Richardson, Lisa Rimmer, Hilary Riordan, Cheryl Robilliard, Mike Rogan, Peter Rough, Rebecca Ryder, Bryan Sanson, Nick Scarles,

1. Tuia Pito Ora/NZILA, Review of Other Guidelines, December 2020.

2. Te Tau-a-Nuku is a technical group within Ngā Aho, the national collective of Māori design professionals. Ngā Aho and Tuia Pito Ora/NZILA signed a Memorandum of Understanding in 2015 as a basis for a relationship between the two bodies. Te Tau-a-Nuku act as mangai (spokespeople) and kaimanaaki (relationship holders) for Ngā Aho with respect to landscape matters.

3. Te Tau-a-Nuku's tikanga of recognising the group ahead of individuals means that those who participated in hui and mahi related to the Guidelines are not personally identified. We deeply acknowledge the contribution of Te Tau-a-Nuku and the spirit in which it was given, and thank those people for their input. Mā whero, mā pango ka oti ai te mahi.

Andrea Schmid, Dennis Scott, Kara Scott, Robin Simpson, Rebecca Skidmore, Christine Skipworth, Nikki Smetham, Paul Smith, Wendy Smith, Michelle Snodgrass, Jo Soanes, Kiran Stephenson, Emma Stiven, Topsy Steele, Mike Steven, Kirstie Thorpe, Nada Toueir, Ainsley Verstraeten, Tim Walton, Tom Watts, Yvonne Weeber, Chantal Whitby, Julia Wick, Phil Wihongi, Julia Williams, Anne Wilkins, Hannah Wilson, Jan Woodhouse.

The revised final draft Guidelines were approved (by unanimous vote) at the AGM of Tuia Pito Ora/NZILA on 5 May 2021.[4]

Shona McCahon edited and polished the approved Guidelines. Colleagues at Isthmus Group and Boffa Miskell—Nick Kapica, Sophie Fisher, Sam Fraser, Naomi Riegger, Vanessa le Grand Jacob, and William Hatton—graphically designed and produced the finished document, drawing on illustrations supplied by members of the profession.

Te Tau a Nuku gifted the name 'Te Tangi a te Manu' (the call of the bird) which is an extract from the Kupu Whakataki (Preface).

We thank all our colleagues mentioned above—and others not mentioned on whose shoulders we stand. These acknowledgments are not to be misconstrued as necessarily indicating the support of those acknowledged for the entire content of the Guidelines. While we sought common ground, we recognise that differences not only exist within the profession but are desirable for the profession's development. The principle-based approach to Guidelines is intended to accommodate such differences and promote flexibility for practice to continue to evolve. Rather than prescriptive methods, they emphasise transparency and reason.

Gavin Lister, Rachel de Lambert, Alan Titchener. July 2022.

4. The motion was carried unanimously, including 41 proxy votes, "THAT 'Te Tangi a te Manu—Aotearoa New Zealand Landscape Guidelines', Final Draft April 2021, be approved as a practice support document (technical document) to replace the NZILA approved 'Best Practice Note 10.1, Landscape Assessment and Sustainable Management (2010), and that the Final Draft be subject to final editing, graphic design, and illustrations."

My success is not the work of an individual; rather, it is the work of many

Ehara taku toa i te toa takitahi; engari he toa takitini

Above: Makara Wind Farm
Image: Brena Smith

A tree comes from one
seed but bears many fruit

Kotahi te kākano,
he nui ngā hua o te rākau

Above: Tongariro National Park
Image: Sophie Fisher

Kupu Arataki

01

Introduction

5. Landscape assessment is carried out for many reasons. These Guidelines, though, are deliberately focused on the statutory planning context.

6. 'Decision-makers' means the Environment Court, boards of inquiry, council commissioners, and some council officers with certain delegated authority. Importantly, these Guidelines take the position that the same principle also applies by extension to everyone else involved in statutory planning processes.

7. Te Ao Pākehā incorporates all non-Māori traditions including various immigrant communities. Pākehā culture is distinctive to Aotearoa. While it draws strongly on Western traditions, it is diverse and is influenced by other non-Western cultures.

Purpose and scope

1.01 Landscapes are part of who we are. They are the natural systems on which we depend, how we live with our land, and the meaning and pleasure we take from our surroundings. They are part of our identity. Landscapes are important to us all. It is no surprise, then, that landscapes are often at the heart of statutory planning matters.

1.02 The purpose of Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines is to improve landscape assessment within a statutory planning context.[5] The role of landscape assessment in this context is to assist decision-makers and others[6] to manage and improve landscape values.

1.03 The Guidelines promote an Aotearoa New Zealand approach. They seek alignment between Te Ao Māori and Te Ao Pākehā streams of landscape assessment. They recognise mātauranga Māori and the importance of tāngata whenua values alongside concepts and values inherited from Western and other cultural traditions.[7] Combining such perspectives is key to understanding and appreciating our landscapes.

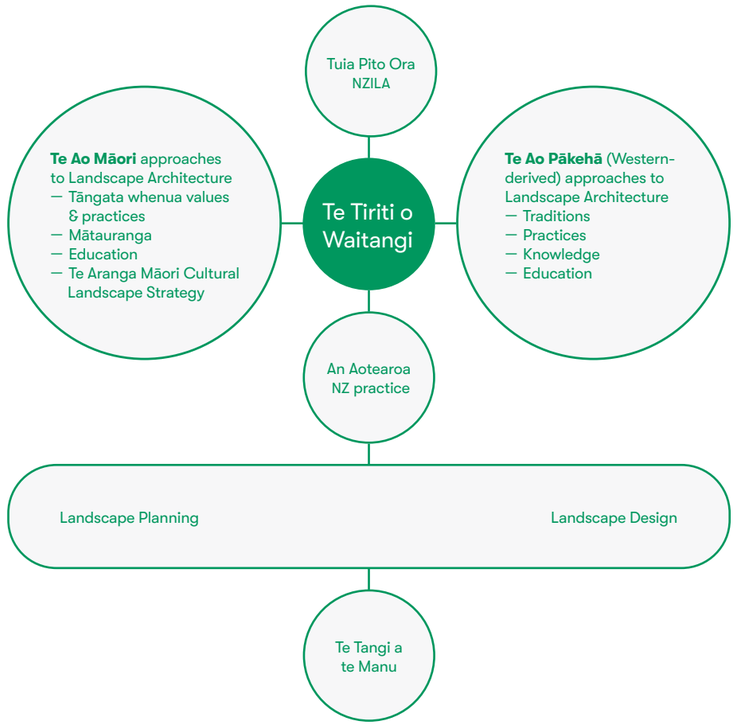


Figure 1. The Guidelines sit within an evolving Aotearoa New Zealand practice that draws on both Te Ao Māori and Te Ao Pākehā approaches, giving effect to the principles of the Treaty of Waitangi.

8. We adopt the style of using Aotearoa and New Zealand interchangeably throughout the Guidelines as short for Aotearoa New Zealand.

1.04 The Guidelines adopt a principles-based approach to methodology that allows for assessment methods to be tailored to each situation. They emphasise transparency and reason, rather than adherence to prescriptive methods. Such methods are unsuitable because of the need to interpret the different types of information and values (objective and subjective) inherent in landscapes, and the different purposes for which landscape assessments are carried out. Crucially, the flexibility of a principles-based approach also provides the flexibility necessary for practice to continue to evolve.

1.05 The Guidelines also seek alignment between design and assessment. Such alignment is the most effective way of improving our landscapes and environmental values.

New Zealand practice in an international context

1.06 These Guidelines are consistent with directions that landscape assessment is moving in internationally. Practice in recent years has been moving towards:

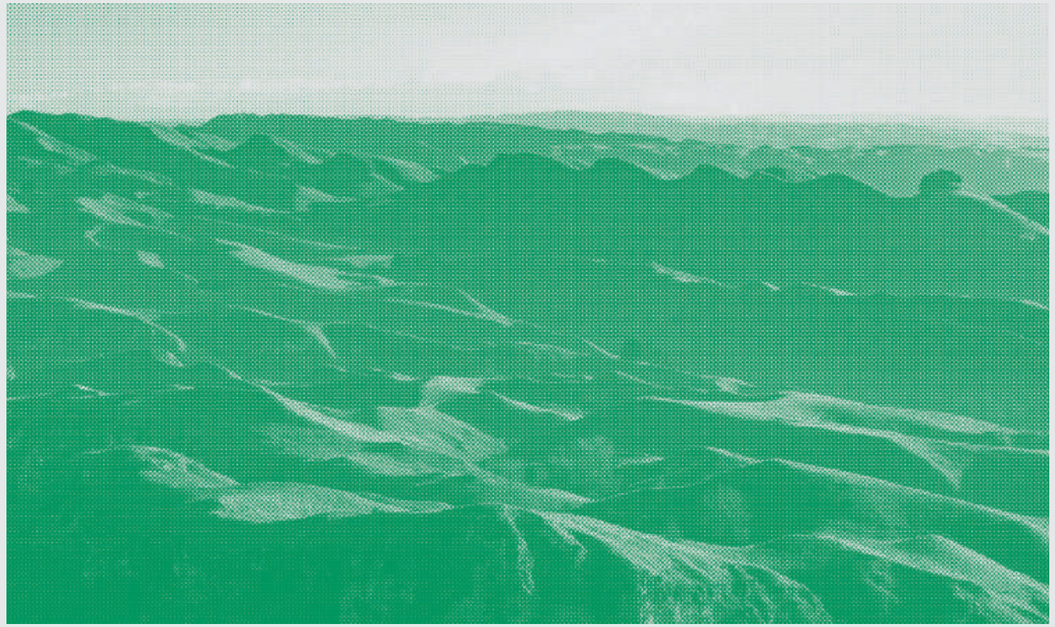
- A holistic concept of landscape that goes beyond physical character and scenery to the tangible and intangible relationships between people and place.
- Attention to the specific character of each place rather than relying solely on generic parameters.
- A reasoned approach to assessment based on transparency and explanation, rather than adherence to prescriptive methodology.
- An increasing use of landscape as an integrative concept that can respond to a broad complex of environmental values and issues.

1.07 Aotearoa[8] has found itself at the forefront of this emerging practice because:

- Te Ao Māori perspectives have helped to highlight the extent to which cultural perspectives are central to the environment, not only for tāngata whenua, but for everyone.
- Change is often easier in a small community—practice was advanced at key moments by a small number of people whom the authors acknowledge and thank.
- The current Resource Management Act provides for landscape. Environment Court decisions have played a key role in bedding in concepts and principles as they have emerged.

I am a seed which was sown in the heavens of Rangiātea.

He kākano ahau i ruia mai i Rangiātea



Te Tangi a te Manu

Above: Mt Erin Flows
Image: Brena Smith

The land is mine, inherited from my ancestors

Nōku te whenua o ōkei tūpuna

Above: Ātea a Rangi
Carvings: Ātea a Rangi Trust
Image: Shannon Bray

9. The intent of the Guidelines is to explain the reasoning behind certain concepts, principles, terminology, and approaches rather than merely state them. Understanding the reasons should add confidence to how we approach our work. It should provide a stronger platform for continuing evolution of practice.

10. It is planned to update the Guidelines in response to the new resource management legislation expected in 2023. Because the Guidelines are based on landscape principles, we anticipate changes to them will be limited to how they are applied under the new legislation rather than the concepts, principles, and approaches themselves.

How to use these guidelines

1.08 The Guidelines are to be read as a whole. Do not take parts out of context. They are organised as follows:
- Chapters 2 and 3 set out overarching principles that apply to the whole Guidelines.
- Chapters 4, 5, 6, and 7 describe the core assessment approach applicable to all types of landscape assessment. The chapters are linked: Chapter 4 defines landscape and describes the concept of landscape. Chapter 5 outlines assessment of landscape character and values. Chapter 6 outlines assessment of effects on landscape values (values being embodied in character). Chapter 7 outlines management of landscape values.
- Chapters 8 and 9 address special topics with respect of 'outstanding natural features and landscapes' and 'natural character'.
  The concepts, principles and approaches described in the earlier chapters apply equally to these special topics.
- Two quick guides are appended. They provide an example of a typical report structure and a brief guide to carrying out two different kinds of landscape assessment: an assessment of landscape and visual effects (i.e. proposal-driven), and a landscape assessment of an area (i.e. policy-driven).

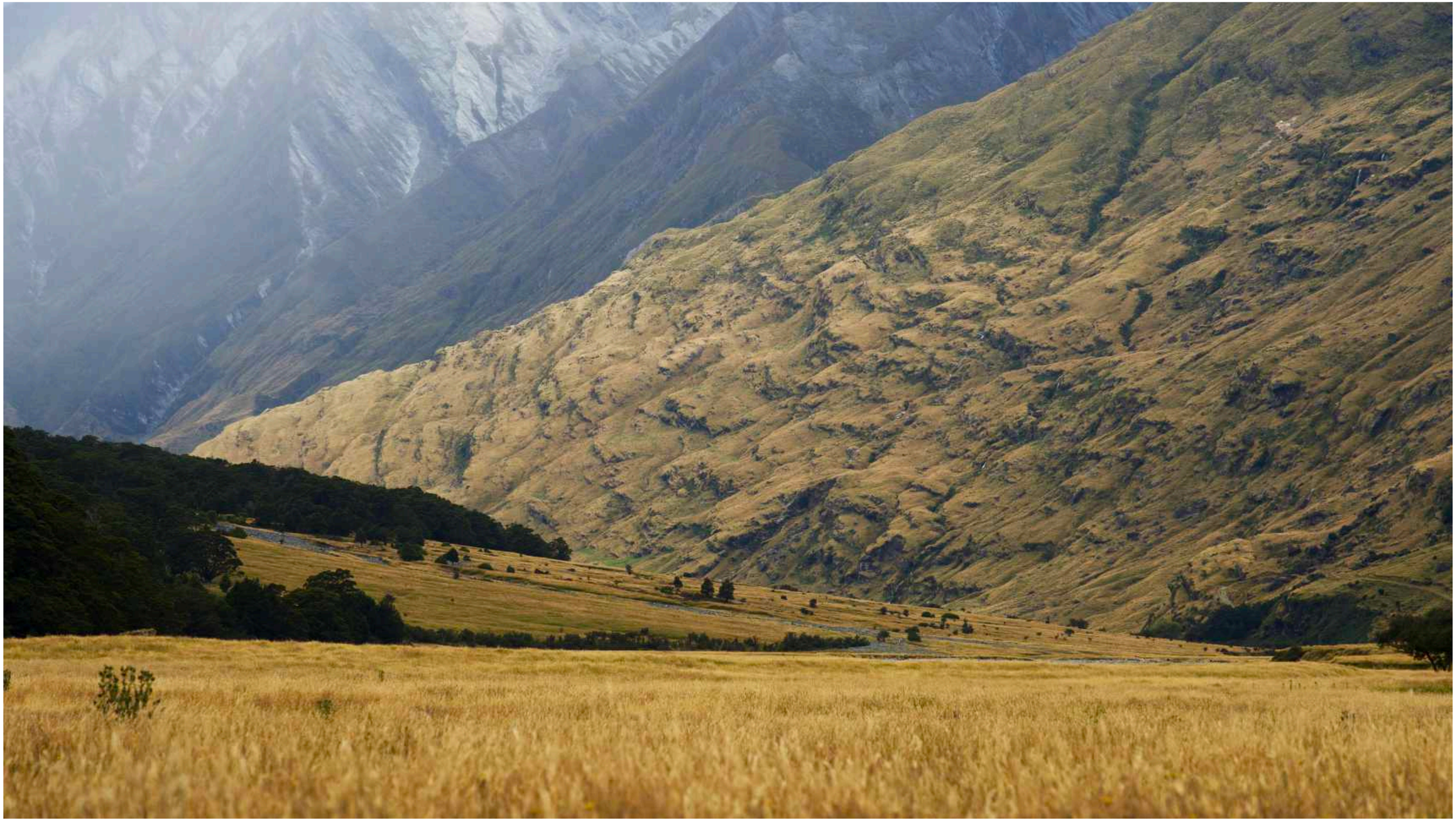
1.09 The intent of the Guidelines is to set out a coherent framework of concepts, principles, and approaches that can be tailored to suit each assessment's purpose and context.[9] Promotion of such flexibility is not to be misconstrued as 'anything goes': on the contrary, the approach promoted by these Guidelines demands that practitioners understand what they are doing, and why, and that they explain it in a transparent and reasoned way.

1.10 These Guidelines represent our current understanding. They will require replacing as practice and understanding continues to evolve.[10] They will have served their purpose if, as we hope, they contribute to that process.

If you know who you are and where you are from, then you will know where you are going

**Inā kei te mohio koe ko wai koe,
i anga mai koe i hea,
kei te mohio koe kei te anga atu
ki hea**

Above: Ātea a Rangi (Navigational Compass), Waitangi, Ahuriri
Carvings: Ātea a Rangi Trust
Image: Māori Television



Above: Matakitaki Valley, Otākou/Otago
Image: Richard Denney

Mātanga Hoahoa Whenua 02

Professional Role

11. As noted, 'decision-makers' in a statutory planning context means the Environment Court, boards of inquiry, council commissioners, and certain council officers with delegated authority. However, the principle of assisting decision-makers applies by extension to assisting everyone else involved in the statutory planning processes.

12. Environment Court of New Zealand, Expert Witnesses, Code of Conduct, Environment Court Practice Note, 2014, Section 7.2. http://environmentcourt.govt.nz/assets/Documents/Publications/2014-ENVC-practice-notes.pdf

13. Only a small proportion of landscape assessors (typically the most experienced) provide evidence to Council hearings or the Environment Court. However, these Guidelines take the position that the principles outlined here apply to everyone working on assessment projects.

14. Expert evidence is your own expert opinion justified with reasons. You cannot present an assessment you don't agree with. Don't let others put words in your mouth. Apply the same principle to all professional landscape assessments.

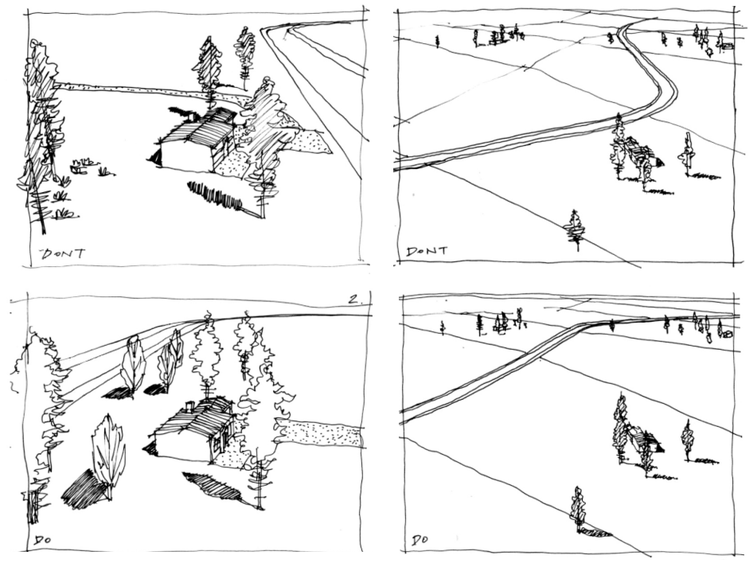
Roles and responsibilities

2.01 A landscape assessor's role in a statutory planning context is, ultimately, to assist decision-makers[11] to manage landscape values: for instance, by identifying a landscape's values (and the attributes on which those values depend), assessing effects on such values, and designing measures to maintain and improve the values. To fulfil this role, an assessor needs to:

— be informed and skilled on landscape matters
— be impartial and balanced
— be clear and succinct
— focus on relevant matters
— use an appropriate methodology and method
— provide reasons.

2.02 Such an approach is consistent with the Environment Court's 'Code of Conduct for Expert Witnesses'[12] which states that witnesses have an "overriding duty to assist the Court impartially on relevant matters within the expert's field of expertise". While that Code is for the Environment Court, extending its principles to all landscape assessors and all phases of an assessment process will assist everyone involved in statutory planning processes.[13]

2.03 Landscape assessors have a role as experts within such processes. While opinion—which is essential to landscape assessment—is generally inadmissible as evidence, the Evidence Act provides an exception for expert opinion.[14] It is a privileged role that we should cherish and safeguard.



Above: Steamfield Design Protocols
Tauhara II, Geothermal Power Station,
Taupō. Isthmus Group
Sketch: Nada Stanish

2.04 The term 'expert' in this context refers to a role and responsibilities rather than a claim to exclusive knowledge.[15] For instance, independent professional experts have a different and complementary role from that of submitters[16] and lay experts.[17] Each role is essential to the statutory planning process. These Guidelines focus on the role of the independent professional expert.

2.05 Pūkenga are experts on tāngata whenua mātauranga (knowledge, wisdom). Tāngata whenua perspectives of landscape are typically held and expressed collectively by iwi/hapū/whānau, rather than individually, and are based on relationships, values (both tangible and intangible), and wisdom accumulated over generations through being in and with a place. It is normal for such mātauranga to be vested in pūkenga (learned individuals). These people are tāngata whenua experts in matters relating to whenua.

2.06 The standing of experts (including landscape architects and pūkenga) rests on:
- impartiality
- specialised knowledge or skill derived from training, study, or experience.

Be impartial

2.07 The following conduct helps maintain impartiality:
- Be measured—avoid exaggeration.
- Be open and balanced—acknowledge points that may not support your client's interests—explain the pros and cons considered in reaching your professional opinion.
- Be consistent.
- Be as objective as possible, given that landscape necessarily entails subjectivity. That is, be unbiased (not an advocate[18]) and rational. Acknowledge matters that might influence your subjective interpretation. Ensure that your interpretation is consistent with an objective analysis of the environment (such as current scientific knowledge and landscape attributes that can be measured).

2.08 The overriding duty to decision-makers does not replace duties we also have to our clients[19] and 'the landscape' through our professional ethics—for instance, as set out in the Tuia Pito Ora/NZILA Code of Conduct[20] and draft Landscape Charter.[21] It does not replace duties of pūkenga to iwi/hapū/whānau or to Te Ao Māori values such as whakapapa and tikanga. Those things remain a foundation of practice. But, in this professional role, we have an additional overriding duty to assist decision-makers in an impartial manner.[22]

15. On the contrary, tāngata whenua, for example, have a deep understanding of their rohe, and residents are likely to have an intimate understanding of their surroundings and the amenity values they enjoy.

16. Landscape architects and pūkenga do sometimes become involved in projects where they have an interest in the outcome and are therefore not impartial. That is normal. But in those instances, make clear that you are a party to the proceedings (applicant or submitter) rather than in the role of an independent expert. See for example 'Upper Clutha Environmental Society (Application to Strike out Evidence)' [2019] NZEnvC 46. That decision discusses the role of an expert from paragraphs 8–44. It states the principle that a person can give lay evidence on behalf of a group, or expert evidence, but not both. Refer especially to paragraphs 17–18. See also 'Gibbston Vines' [2019] NZEnvC 115, paragraph 146.

17. Lay experts can provide opinion on what they personally experience and observe. Independent professional experts have wider scope to draw findings and expert opinion based on their specialised knowledge and experience. Expert opinion, though, is more than mere opinion. It needs to be properly informed, and be based on transparency, reason, and analysis.

18. While submitters and lawyers may advocate for or against a proposal, impartiality is one of the key planks of an independent expert.

19. It is important to also be transparent with clients so that they understand your professional opinions and the reasons behind them. For proposal-driven projects, for example, it often requires that you make an early decision on your professional support (or not). Explain your reasons, outline the likely findings of the assessment you are to carry out, and any mitigation or design changes necessary to ensure your support. Being up-front as soon as possible is in everyone's interests. Professional duty may also entail alerting clients to matters that are outside your area of expertise, and the need to engage other experts.

20. Tuia Pito Ora /New Zealand Institute of Landscape Architects, Articles of Constitution, July 2020, page 28.

21. Tuia Pito Ora/New Zealand Institute of Landscape Architects, The Aotearoa-New Zealand Landscape Charter (draft), updated version for AGM, March 2010.

22. Fortunately, professional ethics with respect to the landscape are consistent with the purpose and principles of the resource management legislation. There should be no inherent conflict in adhering to both professional ethics and duties to decision-makers.

23. When preparing landscape evidence for complex cases, the lawyer coordinating the evidence may explain their 'theory of the case' which will identify the matters they see as relevant. Attention to this key document is one way of helping ensure that the evidence is coherent and tailored to the issues.

24. Refer to paragraph 2.29 on how "other matters" are considered within the statutory planning framework.

25. Landscape assessments are generally either proposal-driven or policy-driven. Proposal-driven assessments include assessments of landscape and visual effects for resource consent applications and notices of requirement. Policy-driven assessments are those carried out to inform policy relating to the landscape values, such as identifying and managing the landscape values of an area (area-based assessments) or to address certain issues (issue-based assessments).

Be relevant

2.09 Focus landscape assessment on the relevant issues for the decision-maker.[23] Such issues typically arise from the intersection of: i) the landscape (its character, values, and context); ii) the purpose of the assessment (e.g. the potential landscape effects); and iii) the statutory planning framework (which can include "other matters"[24] such as iwi/hapū environmental management plans, heritage charters, design guidelines). The issues are particular to each project. They may be quite narrow (e.g. assessment against certain criteria for restricted discretionary activities) or broad. It pays to think about and list the issues to help focus your assessment. It may help to conceptualise issues diagrammatically, as shown below.

2.10 By way of further explanation, Section 25 of the Evidence Act (referred to above at paragraph 2.03) says that expert opinion evidence can be admissible "if the fact-finder is likely to obtain substantial help from the opinion in understanding other evidence…" Evidence that does not offer substantial help is not only undesirable but is in fact inadmissible. Likewise, the Code of Conduct for Expert Witnesses states that such witnesses "have an overriding duty to assist the Court impartially on relevant matters within the expert's field of expertise". Relevant matters may be more obvious with assessments of landscape and visual effects, where the proposal and scope are defined, than with assessments carried out for policy purposes where the scope may be more open-ended and future activities not yet defined.[25] But in each instance, a pro-active approach is needed to sift what is relevant from what is not.

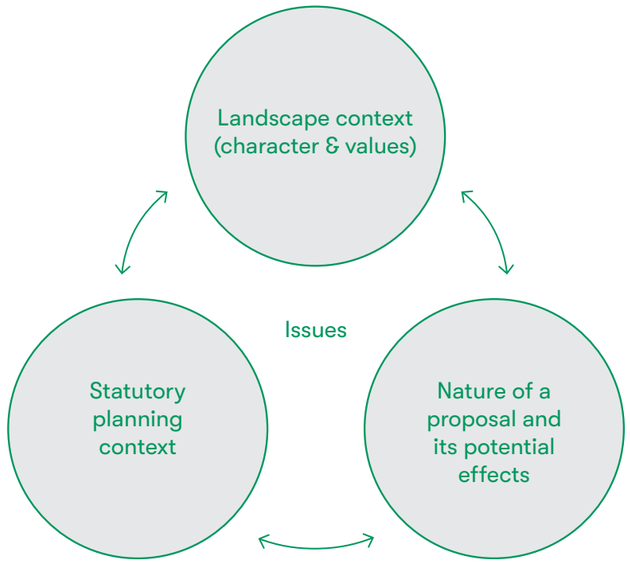


Figure 2. Identifying issues by triangulating the landscape context, the statutory planning provisions, and the potential effects of a proposal.

2.11 There may be a perceived tension between relevance and thoroughness. While an assessment process should be thorough, a report (or evidence) should present organised information selected for its relevance. Put background and detail (for example tabulated analysis) into appendices.

2.12 Specifically, a proposal-driven assessment of effects should be proportionate to the proposal's scale and potential effects consistent with the principle in RMA Schedule 4 (2)(3)(c). An assessment for a small project with incidental effects should be brief, whereas that for a large project with potentially significant effects should be detailed and comprehensive.

Be clear and succinct

2.13 Being clear is essential to fulfilling our professional role:
- Be succinct and to the point.
- Use straightforward language—avoid needless jargon.
- Be precise with key terms—define them where it helps clarity.

2.14 Every sentence in an assessment should be relevant, just as every line in a design drawing has a purpose.[26]

Provide reasons

2.15 Explain assessments in a reasoned way. The nature of landscape means that assessors need to explain how they have integrated and interpreted many tangible and intangible factors in a way that is specific to context. It is the reasons that give a professional assessment weight.

2.16 It is useful to remember that decisions in a statutory planning context are written and reasoned. Assessments that use clear language and provide reasons are more likely to contribute effectively to such decision-making.

Explain in the context of others' assessments

2.17 Where assessments are carried out by different landscape assessors (e.g. where different landscape architects are involved on complex resource consent applications) it is important to explain why you agree with, or differ from, others. The Courts have previously expressed frustration in attempting to compare different landscape assessments. Your explanations in this respect will help decision-makers evaluate different perspectives. For example:
- Align your assessment structure with that of others where it might assist in understanding the substance of different assessments. For instance, adopt common terminology, scales, viewpoints, headings etc. where it might help. Provide reasons if you consider it necessary to differ.
- Highlight points of agreement and difference. Explain the reasons for the differences. Such differences may arise, for instance, through different methods, different interpretation of the area's character and values, and use of a different spatial context. There may be a need to explain how an assessment from a Te Ao Māori perspective, for example, agrees with or differs from assessments carried out from a Western perspective.
- Be constructive in discussions with others (including participation in "Expert Witness Conferences")[27] to narrow the points of difference and to clarify the reasons for any remaining differences.[28] Do not dwell on trivial differences that are unlikely to assist decision-makers.
- Focus on the substance. Do not criticise others personally. Focus on the subject in a professional manner.

26. Instances where concern was expressed that landscape evidence was too long and unfocused includes, for example, 'Kennedy Point Marina' [2018] NZEnvC 81, paragraph 20, and 'Mill Creek Wind Farm' [2011] NZEnvC 232, paragraphs 138–139.

27. Environment Court of New Zealand, Practice Note 2014, Appendix 3, Protocol for Expert Witness Conferences.

28. Concern over "superficial conferencing" is expressed, for example, in 'Mill Creek Wind Farm' [2011] NZEnvC 232, paragraph 140. "The expert conferencing process provided an opportunity to cut through the extensive material and to present a clear outline of the matters we needed to decide with the differences in opinion between the landscape witnesses. However, the joint witness statement was superficial. It did not logically set out or work through the issues that were in front of us." In contrast, support for constructive conferencing and a focused approach is expressed in 'Transmission Gully' [2012] Final Report and Decision of the Board of Inquiry into the Transmission Gully Proposal, paragraphs 801–802. "...It is apparent from the witness conferencing statement that the witnesses agreed on many aspects of the landscape issues...Their briefs were comprehensive and focussed on relevant issues. The witnesses had clearly proceeded with their discussions in an objective fashion as required by the Board's instructions to expert witnesses...".

Above: Kea on the Keplar Track, Southland
Image: Simon Button

—Deborah Tall (1993). ‘From Where We Stand: Recovering a Sense of Place’

‘I read the landscape to help me through, to know what’s come before me there, to find my footing in time’

Above: Waitangi Park, Wellington
Image: Simon Devitt

29. Unless you also happen to be qualified and experienced in ecology.

30. There is no final and definitive list of principles of the Treaty of Waitangi. The principles have evolved, and will continue to evolve as the Treaty is applied to particular issues and new situations. They are derived from the articles and spirit of the Treaty, interpreted through law, court cases, government statement, and the Waitangi Tribunal. The following websites are useful resources: ‘https://teara.govt.nz/en/ principles-of-the-treaty-of-waitanginga-matapono-o-te-tiriti/page-1; https://waitangitribunal.govt.nz/treaty-of-waitangi/principles-of-the-treaty/”

Field of expertise

2.18 Assisting others on relevant matters within our field of expertise means:
- being informed and skilled in landscape matters, and
- focusing on our field of expertise (interpreting and integrating landscape matters)

Focus on our field of expertise

2.19 Landscape expertise entails interpreting an area’s physical, associative, and perceptual dimensions as a landscape. It includes drawing knowledge from other disciplines (such as geomorphology, ecology, cultural information, history etc.) and weaving it into a landscape perspective. Landscape architecture is an integrative discipline. A landscape assessor’s expertise is not in those disciplines on which they draw but in the interpretation of knowledge from such disciplines. Specifically, landscape expertise requires integration of different types of knowledge. The requirement to assist others within our field of expertise does not mean restricting our sources of knowledge. On the contrary, our field of expertise is to integrate such knowledge and interpret it as landscape.

2.20 For example, it is outside the expertise of a landscape assessor to assess ecological effects.[29] Nor is it our role to simply report on ecological findings or those of any other discipline: landscape is more than a catalogue of other disciplines. Rather, our role is to draw on properly referenced information to help build an understanding of landscape as landscape. Integration is most evident where connections are made with each of a landscape’s physical, associative, and perceptual dimensions (see also paragraph 4.21).

Be Informed and skilled

2.21 Being informed and skilled in landscape assessment requires general knowledge and the ability to access specialist knowledge across diverse fields. It can mean identifying gaps in specialist knowledge and alerting clients to such gaps where necessary.

2.22 Specifically, being informed and skilled in landscape assessment within Aotearoa includes awareness of Te Ao Māori and having regard to relevant tāngata whenua matters. Such matters are integral to Aotearoa’s landscapes. Having regard to such matters arises from being part of a nation with a bi-cultural foundation through the Treaty of Waitangi. Principles of the Treaty of Waitangi relevant in a landscape context include:
- iwi/hapū/whānau self-autonomy (mana motuhake)
- partnership
- meaningful engagement and participation
- active protection of Māori interests.[30]

Role of landscape assessor with respect to community

2.23 Landscapes are not the sole preserve of landscape assessors. On the contrary, everyone experiences landscapes and has heart-felt views about them. People and communities have input to the management of landscapes through: i) submissions on policy (such as district plans and non-statutory documents), and ii) submissions on specific proposals (such as resource consent applications and notices of requirement). Decision-makers will have regard to such views alongside expert evidence and the relevant statutory provisions (and "other matters").[31] [32] The professional landscape assessor's role in this context is to assist decision-makers by:

- providing an objective account of relevant landscape facts against which to test others' opinions
- providing an unbiased and independent expert opinion against which the range of community views might be compared
- assessing landscape matters in the context of the relevant provisions
- analysing, interpreting, and explaining landscape matters that other participants may lack the training to articulate.

2.24 The role of an independent landscape assessor is therefore different from, but complementary to, that of communities and individual submitters. A landscape assessor should remain aware of the range of opinions and perceptions of landscape matters in the community and draw on available sources of information.[33] The purpose of such knowledge, though, is to help maintain the balance and insight of an impartial and independent professional assessment. The role is not to simply repeat others' opinions. That would have no value to decision-makers. It would not be fulfilling our role.

2.25 To fulfil the role in a complementary way, a landscape assessment should enable comparison between the expert assessment and the community's views. Use straightforward language, a transparent method, and explain findings with clear reasons.

Statutory provisions (and "other matters")

2.26 Landscape assessors should be familiar with the statutory provisions relevant to each landscape assessment.

2.27 Much (not all) landscape assessment work will be carried out under the RMA.[34] The purpose and principles set out in Part 2 of the RMA are the top of a hierarchy of statutory provisions which include national policy statements,[35] regional policy statements, regional plans, and district plans (or unitary plans when the latter are combined). The lower order documents give effect to the higher order documents. Lower order documents, such as the district plan, are therefore often the first point of reference in framing an assessment.

31. See, for example, 'Dominion Valley Road [2020] NZEnvC 024, paragraph 90–91; 'Port Gore' [2012] NZEnvC 072 paragraph 214, 'Schofield' (2012) NZEnvC 68, paragraphs 51–54, 'Blueskin Energy' [2017] NZEnvC 150/17, paragraph 158.

32. Refer to paragraph 2.29 on how "other matters", which include non-statutory documents, are considered in a statutory planning framework.

33. Landscape assessors tend to assimilate an understanding of the range of views on landscape matters in the community through such things as experience on previous projects, meetings with stakeholders, submissions on proposals, and being 'tuned in' to published material on landscape matters. Sometimes formal research (surveys, focus groups, drop-in centres) can also provide more targeted insight.

34. Briefly, the sections of the RMA to which landscape assessors will most commonly refer include: Part 2 (s5–8) which sets out the purpose and principles of the Act, matters of national importance, other matters to which particular regard is to be had, and Treaty of Waitangi; Schedule 4 (6) & (7) which sets out the information required in an assessment of environmental effects and matters to be considered; and s104 which sets out the matters decision-makers are to have regard to when considering resource consent applications. Other sections to which landscape assessors may refer include s127 which addresses variations to conditions of a consent and s166-176 which relate to notices of requirement for such things as network infrastructure. Section 2 defines terms including 'environment' and 'amenity values', and s3 lists generic types of effect. However, other sections of the RMA are also relevant to landscape assessment in a variety of circumstances. The Ministry for the Environment publishes a useful everyday guide to the RMA. https://www.mfe.govt.nz/rma/processes-and-how-get-involved/everyday-guide-rma.

35. National policy statements (NPS) currently comprise: New Zealand Coastal Policy Statement (NZCPS), NPS on Urban Development, NPS for Freshwater Management, NPS for Renewable Energy Generation, and NPS on Electricity Transmission. There are also national environmental standards (NES) for: air quality; sources of drinking water; telecommunication facilities; electricity transmission activities; plantation forestry; freshwater, marine aquaculture, and assessing and managing contaminants to soil to protect human health.

36. The National Parks Act does not refer explicitly to 'landscape' but does so indirectly by referring to "areas of New Zealand that contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important..."

37. Use 'case law' in a colloquial sense only. It is a common term but is not strictly accurate. Previous decisions of the Environment Court in most instances do not in fact establish law. While the Environment Court is bound by decisions of the higher courts on points of law, it is not bound to follow determinations of previous Environment Court decisions. However, previous decisions do provide guidance to the Courts' thinking on certain landscape concepts and principles—typically derived from the Courts' findings on landscape evidence. Frame your assessments with an awareness of such matters but, if you need to refer to 'case law' in evidence, refer to it along such lines as 'an approach supported in previous decisions'. Leave legal discussion on such matters to lawyers.

38. Tuia Pito Ora/NZILA, 'Case Law' Review, December 2020. The review is drawn largely from the Environment Court but includes some relevant decisions from Boards of Inquiry, the High Court, Court of Appeal, and Supreme Court. The review is tabulated with excerpts from the decisions and a synopsis of the relevant landscape principles. Each entry is tagged to topics that correspond to the structure of these Guidelines. All case references in these Guidelines can be found in that document.

39. Some organisations provide guidelines for certain project types. Waka Kotahi/NZ Transport Agency and Auckland Council, for example, publish useful guidelines. Maintain a critical awareness though, and do not just accept a guideline as a template.

2.28 The principles of landscape assessment set out in these Guidelines also apply to landscape assessments carried out under other statutes. Statutes that contain provisions relating to landscape include:

- Conservation Act
- Reserves Act
- Crown Pastoral Land Act
- Queen Elizabeth the Second National Trust Act
- Biosecurity Act.
- National Parks Act.[36]

2.29 "Other matters"—as provided for by RMA s 104(1)(c) and s 171(1)(d)—are those that a decision-maker considers relevant and reasonably necessary to determine an application. They may include non-statutory documents that express the community's vision and direction for the environment such as long-term council community plans (LTCCP), iwi and hapū resource management plans, guidelines—such as the Auckland Design Manual—masterplans, conservation plans, catchment management plans, and 'sense of place' studies.

'Case law'

2.30 Landscape assessors should also remain informed on landscape assessment concepts, principles, and terms that have gained authority through decisions of the courts and boards of inquiry (colloquially referred to as 'case law').[37] A review of relevant decisions, with extracts and commentary, has been prepared as a separate background document.[38]

2.31 'Case law' on landscape matters often originates from professional evidence and will continue to evolve. It is our profession's responsibility to continue to refine and develop concepts and principles that fall within our expertise. Likewise, court hearings will continue to provide a valuable forum in which to test such matters and accrue guidance from decisions. Be open to adapting the way you work in response to such decisions.

Appropriate methodology and method

Tailor method to issues—landscape context, assessment purpose, planning framework

2.32 The first task of a landscape assessment is to affirm a methodology and to design (or tailor) a method[39] in response to the relevant issues. The issues are particular to each project. As discussed in paragraph 2.09, they typically arise from the intersection of the context landscape, the purpose of the assessment (such as the potential effects of a proposal), and the planning framework.

40. Dr Mike Steven, pers. comm, 2021, adapted from notes on investigation design logic.

2.33 Methodology is the high-level system that includes concepts, philosophies, principles, terminology, and general investigative approaches. These Guidelines represent a methodology.

2.34 Methods, on the other hand, are procedures for specific projects to suit the context, purpose, planning framework, and resource management issues. Designing an appropriate method can be visualised as follows:[40]

- State the purpose—the matters to be assessed.
- Identify the concepts, principles, terminology, and general approaches associated with the matters to be assessed.
- Consider the factors, metrics, descriptors and criteria that may be relevant to the matters being assessed (for instance, the factors and metrics that might influence rural character).
- Select (or tailor) the appropriate method for the assessment. This is likely to entail both desk-top research and field work to investigate and interpret the things listed above.
- Revise the method in an iterative way if other factors, metrics, criteria etc., emerge while carrying out the assessment and warrant assessment.
- Structure the report to best explain the findings in terms of the purpose of the assessment.

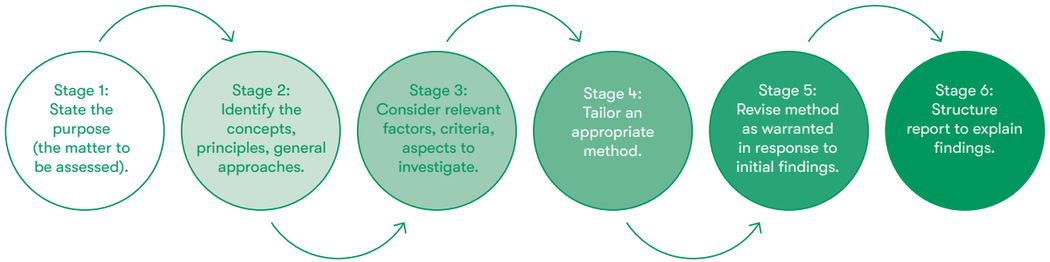


Figure 3: Generalised flow chart for design of a method for landscape assessments. Adapted from Dr Mike Steven, 2021.

2.35 Designing a method involves a logical sequence in which each stage should be consistent with the preceding stages. For example, the landscape aspects or criteria identified for consideration at stage 3 should be consistent with how landscape is defined at stage 2, and relevant to the purpose of the assessment set out at stage 1. The method at stage 4 will be tailored in response to the first three stages, with critical awareness maintained so that the method can be refined in response to initial findings at stage 5. The report structure at stage 6 will then reflect the preceding stages. The integrity of the whole method goes to the validity of the assessment.

Nothing can be achieved without a plan, a workforce and a way of doing things

Tē tōia, tē haumatia

Above: Portage Crossing, Tāmaki Makaurau
Image: David St George

41. 'Unison Networks'. NZEnvC C11 2009, paragraph 96

42. The approach outlined in these Guidelines is in keeping with trends in international practice. See Tuia Pito Ora, Review of Other Guidelines, op cit, from paragraph 4.1. The main historical approaches are: i) visual resource management approaches, focusing on generic visual parameters and formulaic methods, and ii) landscape character (place-based) approaches, focusing on specific character and values. Internationally, practice has moved towards the latter approach, illustrated by the European Landscape Convention. Aotearoa practice has similarly moved towards the latter approach, in keeping with leading international practice, and has evolved a specific flavour reflecting our own natural and cultural context.

2.36 Rigid and prescriptive assessment methods (such as rigid criteria and prescriptive techniques) are unsuited to landscapes for the following reasons:

- Assessing landscapes requires integrating: i) different types of objective and subjective information, and ii) information relating to both the land and people.
- Landscape values arise from the interaction of a landscape's dimensions rather than the sum of them (see paragraph 4.27).
- Landscape values depend on context—landscapes are valued for different types of reason in difference situations.
- Assessments are also carried out for different purposes in the context of different statutory planning provisions.

2.37 Professional judgement and interpretation are therefore necessary. The relevant factors, their weight, how they integrate, and how they are interpreted, will all vary with context.

> *...it is important to avoid settling upon a mere formulaic framework that could simply be 'fed through' in a computerised fashion. Ultimately each case must be considered in the light of dependable and recognised pointers or guiding criteria to assist the making of an overall appraisal and judgement, without the risk of professional landscape architects failing to see the wood for the trees.*[41]

2.38 These Guidelines, therefore, emphasise a reasoned approach—based on transparency and explanation—rather than prescriptive or standardised methods.[42]

Explain methodology and method

2.39 Include a methodology statement as part of a landscape assessment to assist decision-makers interpret the assessment and weigh competing assessments. Such statements might reference these Guidelines with respect to the overall methodology and then outline the specific method tailored to the situation. A brief statement (one or two paragraphs) may be enough for a simple project—more detail is warranted for complex projects.

2.40 As discussed at paragraph 1.09, avoiding prescriptive methods places greater onus on landscape assessors to understand their methodology and explain it clearly.

2.41 Maintain critical oversight while carrying out an assessment and challenge your own findings. Do not be so wedded to a method as to overlook the obvious. Test findings for credibility and plausibility. Methods are tools to understanding the landscape—they are not the point of the assessment. Methods are not landscape.

—Rebecca Solnit (2001). 'Wanderlust: A History of Walking'

'It had come to me not in a sudden epiphany but with a gradual sureness, a sense of meaning like a sense of place. When you give yourself to places, they give you yourself back; the more one comes to know them the more one seeds them with the invisible crop of memories and associations that will be waiting for you when you come back, while new places offer up new thoughts, new possibilities. Exploring the world is one of the best ways of exploring the mind, and walking travels both terrains.'

—Robert McFarlane (2012) 'Landscape and the Human Heart'

'One of the ecosystem services the environment gives us is metaphor—landscape gives us ways of figuring ourselves to ourselves ...everyone thinks to some degree in landscape and with landscape...all have been shaped by places, by phenomena experienced and recollected... paths connect real locations, but also lead inward to the self...our verb 'to learn' has a root meaning to follow a path...'

Pursue excellence—should you bow your head, let it be before a lofty mountain

Whāia e koe te iti kahurangi—
ki te tūohu koe,
me he maunga teitei

Above: Aoraki Mount Cook
Image: Simon Button

Above: Te Ākau Coast, Waikato
Image: Rebecca Ryder

If handed down by
the ancestors,
it would be correct

Kia heke iho ra i ngā tūpuna, kātahi ka tika

Whakarāpopototanga

Summary

The ultimate reason for assessing landscapes is to manage landscape values. More precisely, in a statutory planning context the purpose is to assist decision-makers (and by extension others) to that end.

A landscape assessor should therefore:
— be informed and skilled on landscape matters
— be impartial and balanced
— be clear and succinct
— focus on relevant matters
— use an appropriate methodology and methods.

In Aotearoa New Zealand, being informed on landscape matters includes awareness of Te Ao Māori and having regard to tāngata whenua matters. Such matters are integral to Aotearoa's landscapes.

The methodology and method for each assessment should be carefully configured to:
— the purpose of the assessment
— the landscape context
— the issues (e.g. the nature of potential effects in the context of the relevant statutory planning provisions).

Landscapes do not readily fit rigid and prescribed methods. Rather, these Guidelines promote transparent, reasoned explanation.

Te Ao Māori

03

Māori Worldview

Introduction

3.01 Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines provide a framework for assessing landscapes from both Te Ao Māori and Te Ao Pākehā perspectives within the statutory planning context. Bear in mind that there are other motivations and applications for assessing landscapes than those relating to the statutory planning focus of these Guidelines.

3.02 The Guidelines promote using the assessment method most appropriate for the context (both natural and cultural) and the matter under consideration. This approach works equally well from a Te Ao Māori perspective as from a 'Western'-derived Te Ao Pākehā perspective. Such an approach provides for new methodologies and methods to emerge. This is important because truly bi-cultural approaches to landscape assessment (together with design, planning, and management) continue to evolve as our maturity in this area of practice grows. Tāngata whenua landscape approaches and frameworks are a rapidly developing area of landscape architecture that can sit comfortably amongst other Te Ao Māori and kaupapa Māori tools and approaches to (amongst others):
- whenua
- taonga tuku iho (treasures handed down from the ancestors)
- wāhi tūpuna (a place with ancestral connection)
- wāhi tawhito (a place holding historical importance)
- wāhi tūturu (a place holding deep or particular meaning)
- ngā wawata a mua (future aspirations).

3.03 The following concepts are important foundations with respect to Te Ao Māori and landscape.

Te Reo Māori

3.04 Te Reo Māori is the first human language of Aotearoa; one of our three recognised national languages. It is a taonga tuku iho nā ngā tūpuna Māori—a treasure handed down by the ancestors.

3.05 Te Reo Māori is the key to accessing Te Ao Māori. Te Ao Māori values, concepts, and constructs only gain full relevance and meaning within that language. English terms may not necessarily have direct translation to Te Reo Māori, and vice versa.

3.06 These Guidelines promote the use of Te Reo Māori within landscape assessment. The convention is for the English translation to be provided in brackets after the first use of a Te Reo Māori term, after which the Te Reo Māori term should be used alone. Where both languages are used, Te Reo Māori comes first in recognition of precedence.

43. The Treaty of Waitangi (English version)

Article the first:
The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole sovereigns thereof.

Article the second:
Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

Article the third:
In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.

Whenua

3.07 Whenua encompasses all of Aotearoa. All whenua carries association(s) with tāngata whenua. Whenua precedes the concept of landscape in Aotearoa New Zealand and expresses physical, associative, and perceptual dimensions within a Te Ao Māori cultural framework. In Aotearoa New Zealand, therefore, landscapes sit within whenua in space and time.

3.08 There is continuity and connection between land and sea: whenua extends beneath moana. Mana whenua includes mana moana of relevant parts of the sea.

3.09 Whenua is a word with layered meaning that refers to the land and the relationship between people and land. But those relationships have a specific cultural context and perspectives.

3.10 Whenua is central to tāngata whenua—physically and conceptually. Tāngata whenua whakapapa (trace descent) through tūpuna to the whenua and the natural world. The concept of mana whenua (and mana moana) includes identity, belonging, and rights and responsibilities with respect to place. Whenua gains its highest potency through association with iwi (tribe)/hapū (sub-tribe)/whānau (extended family) over time.

3.11 For tāngata whenua, associations with whenua are confirmed through whakapapa (genealogical links/connection), ahi kā (occupation) and belonging.

3.12 Tāngata whenua associations with areas across Aotearoa have changed repeatedly over time. However, all occupation leaves imprints (tangible and intangible) that maintain validity and carry meaning within Te Ao Māori.

Te Whakaputanga o Te Rangatiratanga o Nu Tirene

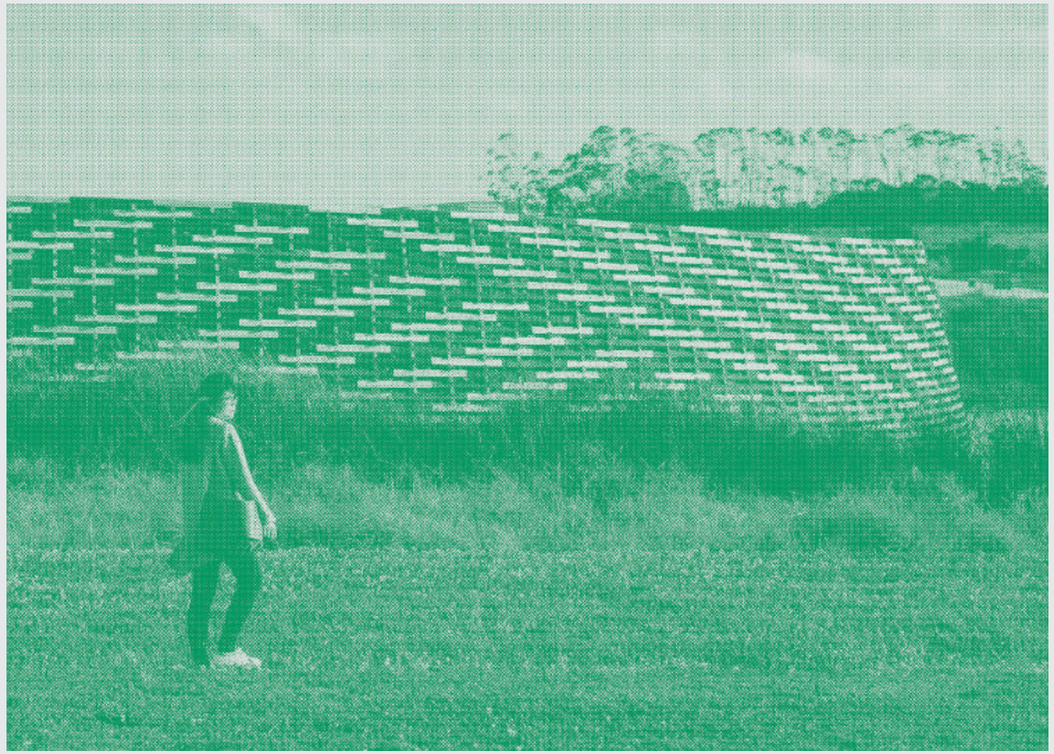
3.13 Te Whakaputanga o Te Rangatiratanga o Nu Tirene (Declaration of Independence of New Zealand 1835) established the sovereignty of the Chiefs and tribes of Aotearoa/Nu Tirene over all whenua within these islands.

The Treaty of Waitangi

3.14 The Treaty of Waitangi[43] is the English wording of the foundational document that established the rights of the indigenous people of Aotearoa and equally those who settled here. The document contains complex terms and concepts that had no precedent or relevance to an indigenous consciousness and context—cultural, philosophical, or political.

Those who lead give sight
to those who follow,
those who follow give life
to those who lead

Mā mua ka kite a muri, mā muri ka ora a mua



Above: Kopupaka Reserve, Tāmaki Makaurau
Image: David St George

Above: Pureora Forest, Waikato
Image: Simon Button

44. Te Tiriti o Waitangi (te reo Māori version)

Ko te tuatahi:
Ko nga Rangatira o te wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu—te Kawanatanga katoa o o ratou wenua.

Ko te tuarua:
Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga hapu—ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua—ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

Ko te tuatoru:
Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini—Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

45. The Reo Māori text of Te Tiriti is not an exact translation of the English text, the one for the other. Under the Treaty of Waitangi Act 1975, the Waitangi Tribunal is tasked with determining the meaning and effect of the Treaty for the purposes of inquiring into Māori claims. The Act further requires the Tribunal to decide issues raised by the differences between the Te Reo version and the English version.

With regard to these Guidelines, the following statement of Dr Moana Jackson has resonance: "The Treaty for me has never been about Treaty rights. It's always been about the rightness that comes from people accepting their obligations to each other. And that was a profound, and I think, visionary base upon which to build a country".

3.15 Te Tiriti o Waitangi[44] is the Te Reo Māori wording of the foundational document that established the rights of the indigenous people and equally of those who settled here. These eight separate hand-written documents that were taken around Nu Tirene attempted to translate complex terms and concepts that had no precedent or relevance to a British consciousness and context—cultural, philosophical, or political.[45] The Treaty of Waitangi is generally taken as the document that provides the foundation of a bi-cultural nation and is an expression of the potential and promise of reciprocal benefit seen by both cultures through kōrero at the time of signing.

3.16 The Treaty of Waitangi, as captured within its articles in the English and Te Reo texts and the principles derived from those articles, has evolved and will continue to evolve, in response to its application to the challenges and opportunities of the past, present, and future.

3.17 The Treaty of Waitangi has deep relevance to matters relating to whenua, tāngata whenua, and landscape.

Māori

3.18 The term Māori is a cultural construct arising out of contact with Western European culture. As an accepted term for collective identity enshrined in the Te Reo Māori version of the Treaty of Waitangi, Māori culture is unique to Aotearoa.

3.19 As first peoples, Māori are tāngata whenua of Aotearoa. Tāngata whenua are people who hold mana whenua over an area.

3.20 The natural primary grouping for Māori is the hapū. However, in a contemporary sense, the term tāngata whenua can be applied at iwi, hapū and/or whānau level.

3.21 Expressions and understandings of 'culture in place' become clearer, stronger, and more specific from Māori to iwi to hapū to whānau. These Guidelines, therefore, advocate for landscape matters to be considered at the most local appropriate level (e.g. hapū ahead of iwi where the matters are most relevant to a hapū).

Te Ao Māori

3.22 Te Ao Māori is a term for an indigenous world view within Aotearoa. Te Ao Māori comprises Te Reo Māori, tikanga Māori, values, beliefs, and histories: collectively framing a world view by which tāngata whenua in Aotearoa can engage with, and make sense of, the world.

3.23 Te Ao Māori is not static or definitive. Rather, it is constantly being renewed and reaffirmed through fresh challenges and opportunities that occur within Te Ao Hurihuri—the emerging world.

Tāngata whenua

3.24 A range of responsibilities is associated with the term tāngata whenua, such responsibilities extending to the area (and all who live in it) over which tāngata whenua hold mana whenua.

3.25 Mana motuhake is the term whereby tāngata whenua maintain the right to express their mana and to make decisions on matters relating to or affecting them and their rohe.

3.26 Tāngata whenua are the definitive holders of mātauranga and kōrero relating to their rohe—including matters relating to landscape. The mātauranga and tikanga of each tāngata whenua group informs contemporary tāngata whenua resource management in each landscape setting. Mātauranga varies from group to group and is specific to that group and whenua. Access to this knowledge can only be achieved through appropriate and meaningful engagement with, and at the discretion of, tāngata whenua. (See 'Engaging with tāngata whenua when assessing landscapes' at paragraph 5.40).

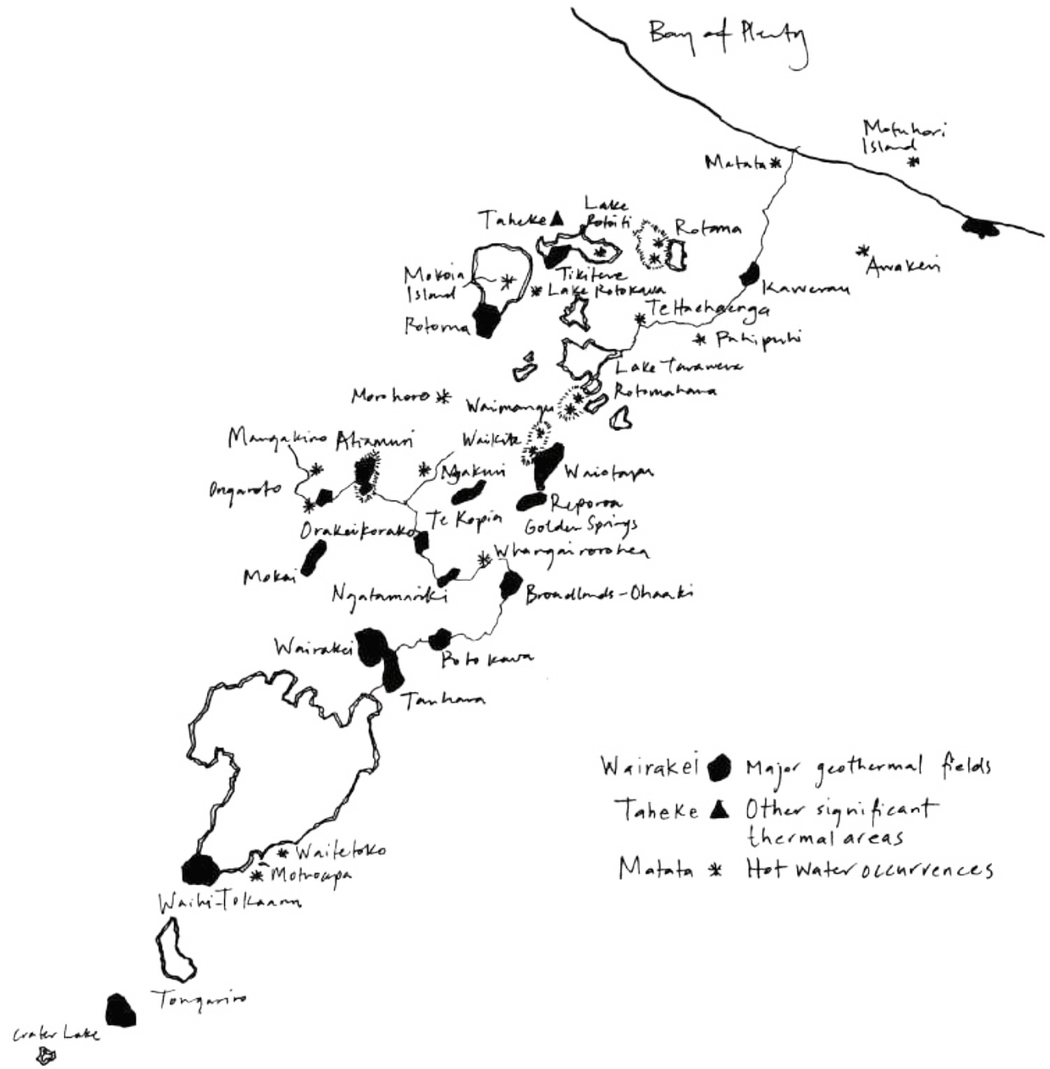
3.27 Areas of tāngata whenua jurisdiction may overlap with those of different iwi, hapū, and whānau—particularly where such groups have different historical associations with the whenua.

3.28 Subtleties and distinctions of tāngata whenua can be added through such concepts as hau kāinga (the 'home people' at a marae) and ahi kā (those who occupy that area and keep the home fires burning).

3.29 Tāngata whenua is the appropriate term rather than Māori in matters relating to landscape.

3.30 The relationship between tāngata whenua and whenua is unique to Aotearoa. It binds the primary relationships between people and the connections developed across time between people and whenua. Explaining such perspectives is the prerogative of tāngata whenua which may be iwi, hapū, or whānau (or a combination) depending on context.

3.31 Whakapapa instils tāngata whenua with a duty—kaitiakitanga—to protect and enhance the wellbeing of ngā taonga katoa (all resources) in accordance with the mātauranga, tikanga (customary values and practices) and kawa (protocols) of that group. Kaitiakitanga aligns with many of the fundamental beliefs and norms of behaviour of Te Ao Māori including mana, whakapapa, whanaungatanga (kinship/relationships), mauri (life force/essence) and kotahitanga (collective sense of unity), among others. The nearest equivalent meaning to kaitiakitanga is stewardship or guardianship although the terms are not strictly synonymous.



Above: Taupō Volcanic Zone, Tauhara II, Taupō
Sketch: Nada Stanish

The blood of man
(is supplied by) food;
the sustenance of man
(is supplied by) land

Te toto o te tangata, he kai; te oranga o te tangata, he whenua

Above: Rangitoto wharf, Tāmaki Makaurau
Image: Simon Button

Pūkenga

3.32 Knowledge is held in many places within Te Ao Māori and amongst tāngata whenua. Very often, the groups and individuals who hold knowledge and expertise specific to their group have not gained this through mainstream education. This knowledge and those genuine knowledge holders are highly respected and valued by their respective groups.

3.33 Such knowledge is equally as valid as knowledge held in Western knowledge systems. Indeed, in some circumstances, it may be appropriate that knowledge held by pūkenga is afforded primacy over that held according to Western knowledge systems, including in consequent consideration of effects. Consideration of what has primacy is a matter for decision-makers.

3.34 Access to pūkenga and their knowledge may require the seeker to show some commitment and demonstrate the context and purpose for which the information is sought. Pūkenga expertise should be resourced in a way and at a level that is commensurate with those of a Western knowledge system expert.

Above: Te Rerenga Wairua/
Cape Reinga, Northland
Image: Sophie Fisher

With your basket, and with my basket, the people will thrive

Nāu te rourou, nāku te rourou, ka ora ai te iwi

Whakarāpopototanga

Summary

The Treaty of Waitangi is the foundation of Aotearoa/New Zealand as a bi-cultural nation. It is deeply relevant to tāngata whenua, whenua, and landscape. It entails both challenges and opportunities.

The full relevance and meaning of Te Ao Māori concepts are best explained in Te Reo Māori.

Whenua is central—physically, socially, and conceptually—to tāngata whenua. All whenua carries associations for tāngata whenua. Tāngata whenua whakapapa (trace descent) through tūpuna to the natural world.

Tāngata whenua are the definitive holders of mātauranga, tikanga, kawa, and kōrero relating to their rohe. Culture in place becomes clearer, stronger, and more specific from iwi to hapū to whanau.

Pūkenga hold knowledge and expertise relating to an iwi, hapū or whanau, including on landscape matters. Commitment, relationships, and resourcing are important to accessing such information. Pūkenga may undertake the role of an expert in terms of the Code of Practice.

Bi-cultural approaches to landscape assessment will continue to evolve. The emphasis on transparency and reasoned explanation will help ensure that such evolving practice is not hindered by prescribed methods.

He aha te Whenua?

04

What is Landscape?

The word ‘landscape’

4.01 Our concept of ‘landscape’ is the foundation, explicitly or implicitly, of any assessment we carry out.

4.02 These Guidelines seek a concept of ‘landscape’ appropriate for Aotearoa New Zealand in the context of the bi-cultural partnership founded on the Treaty of Waitangi. This chapter looks at the concept of landscape from four directions. It looks at the origins and meaning of the word ‘landscape’ in English, at how its meaning is evolving in Aotearoa, at how the term is defined by professional landscape organisations, and how its meaning is revealed through professional practice.

4.03 English language meanings of ‘landscape’ have two strands that are relevant to landscape practice: one relating to the character of a territory, the other a view of an area (an overview).

> *“a tract of land with its distinguishing characteristics and features, esp. considered as a product of modifying or shaping processes and agents (usually natural)”*
>
> *“a view or prospect of natural inland scenery, such as can be taken in at a glance from one point of view; a piece of country scenery.”* [46]

4.04 The concepts of ‘overview’ and ‘overall character’ inherent in landscape (or scape[47]) are often co-opted to describe other fields (political landscape, intellectual landscape, mediascape, mindscape, landscape ecology).[48]

4.05 However, the historical roots of the word ‘landscape’ in North Europe meant a region and its people. Such etymological roots are explored in Kenneth Olwig’s scholarship.[49] Olwig points out that earlier forms such as ‘landschaft’ (and related forms such as the Old English ‘landscipe’) meant a region and its people. It meant a community associated with a place and its accompanying physical environment, customs, customary law and responsibilities, ways of life, and identity.[50] Olwig argues that contemporary concepts of landscape are not restricted to either territory or scenery but carry what he refers to as the “substantive meaning”[51] of a “nexus” between community and place.[52] He refers to the definition of landscape in the European Landscape Convention to demonstrate that older, enduring meaning’.[53]

4.06 Such foundational meanings of ‘landscape’ are perhaps closer to those of ‘whenua’ than more recent meanings limited to either ‘territory’ (e.g. physical landscape character) or ‘scenery’ (visual aspects).[54]

46. Both definitions from the Oxford English Dictionary.

47. David Gold published a paper exploring some 130 examples of words that have borrowed the landscape suffix ‘scape’. David Gold, English Nouns and Verbs Ending in -scape, Revista Alicantina de Estudios Ingleses 15 (2002): 79-94, https://rua.ua.es/dspace/bitstream/10045/5254/1/RAEI_15_05.pdf, (retrieved 23 September 2021).

48. The common phrase ‘landscape and visual effects’, as included in the RMA Schedule 4, could be argued as covering both strands. However, the phrase more likely arose as a consequence of different methods, landscape character assessment (LCA) and visual resource management (VRM) respectively. This is discussed in the ‘Review of Other Guidelines’ NZILA Background Document 3, paragraphs 4.1–4.3.

49. For example, K. Olwig, The Meanings of Landscape, 2019. The book is a collection of essays including the seminal ‘Recovering the Substantive Nature of Landscape’, originally published in ‘Annals of the Association of American Geographers.’86’(4): 630–653, 1996. Olwig has published widely on this topic.

50. The suffix ‘scape’ has common origins with ‘shape’ and ‘ship’. In the context of landscape’s etymological origins it conveys the meaning of an area shaped by people, and the standing and belonging of people with an area as in citizenship.

51. That is, the original, deeper, more essential meaning of the word ‘landscape’.

52. Olwig, ibid page 22.

53. Olwig, ibid page 6. Olwig also notes the Swedish use of landskap to refer to a person’s home region.

54. Simon Swaffield, pers. comm, 2020.

55. Hatton, William and Paul, Jacqueline in Hill, C. (Ed), Kia Whakanuia te Whenua, People Place Landscape, 2021, page 196.

‘Landscape’ in an Aotearoa New Zealand context

4.07 ‘Landscape’ is a Western concept brought to New Zealand. It has evolved as a concept and will continue to evolve in an Aotearoa context.

4.08 There is no term for ‘landscape’ in Te Reo Māori. Whenua is the nearest term, although the words are not directly interchangeable because whenua derives specifically from Te Ao Māori perspectives and tikanga. Within Te Ao Māori, landscape is a non-Māori cultural construct that sits within the broader concept of whenua.

4.09 ‘Whenua’ means the land but also contains layers of meaning relating to peoples’ relationship with the land. ‘Tāngata whenua’ indicates people with a deep connection with a territory, with rights and obligations.

4.10 The current professional practice of conceptualising landscape as three overlapping dimensions provides a bridge between Te Ao Pākehā and Te Ao Māori meanings (Figure 4):
- physical: the physical environment—its collective natural and built components and processes
- associative: the meanings and values we associate with places; and
- perceptual: how we perceive and experience places.

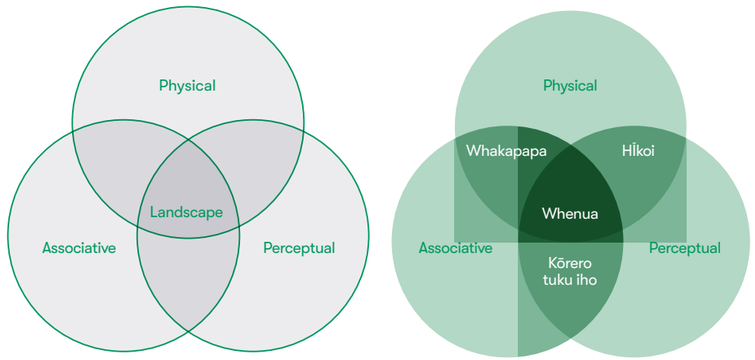


Figure 4. Landscape conceptualised as the intersection of three overlapping dimensions (left). Whenua conceptualised as the intersection of three overlapping dimensions and an overlay that integrates mātauranga (right).[55]

56. Hatton and Paul op. cit. page 195, drawing on research of Smith, Huhana, Hei Whenua Ora, PhD thesis, Massey University, 2007.

57. That is, landscape assessment with a Western-derived professional foundation carried out in the context of the statutory planning context.

4.11 A bi-culturally inclusive landscape concept can be envisaged (Figure 4) as the three overlapping dimensions and an overlay integrating mātauranga comprising:
- Whakapapa: the genealogy and layers of landscape and people (reflective of an overlap between biophysical and associative dimensions).
- Hikoi: walking and talking with landscape and people—experiencing and perceiving the land in all its entirety (reflective of an overlap between the biophysical and perceptual dimensions).
- Kōrero tuku iho: ancestral knowledge passed down through generations interconnected through time, place, and people—pūrākau (reflective of an overlap between perceptual and associative values).[56]

4.12 Such a concept accommodates both tāngata whenua and Western landscape approaches and allows for mutual influence of ideas and thinking. Whenua and landscape both emerge in the overlap between the dimensions. Mātauranga approaches are different from, but can resonate with, Pākehā approaches. The two concepts enrich each other.

4.13 Tāngata whenua perspectives have primacy in those landscape assessments carried out in a Te Ao Māori framework, such as cultural landscape assessments undertaken by a hapū or iwi.

4.14 However, while ‘landscape’ has Western origins, it is now a shared concept. Professional landscape assessment[57] should therefore also pay attention to tāngata whenua matters which enrich understanding and appreciation of the landscape. Such matters may include:
- tāngata whenua pūrākau, tikanga, and whakapapa associated with a landscape (including creation and origin narratives)
- the significance and meaning of place names and landscape features
- metaphysical concepts such as wairua and mauri
- landscape stewardship concepts such as kaitiakitanga and mātauranga
- customary activities associated with places
- legal recognition of certain features as having the legal status of a person (Whanganui River, Te Urewera, Taranaki maunga).

4.15 Remember that tāngata whenua have a holistic relationship with whenua that integrates physical, associative, and perceptual dimensions. A potential pitfall is to limit consideration of tāngata whenua landscape values to the associative dimension only. To do so would not only be conceptually wrong but also contrary to the Treaty of Waitangi because:
- it would relegate tāngata whenua to a party with specialist interests rather than a true treaty partner
- it would render tāngata whenua relationships with place as one dimensional
- it would deprive all of us of the experience and knowledge accumulated by tāngata whenua with respect to place in Aotearoa.

When allowed to live on the land of others, utilise it and its products; but leave the land itself in the hands of its true owners

Kāinga te kiko, waiho te whenua ki te tangata nōna

Above: Lindis Pass, Otākou/Otago
Image: Stephen Brown

58. Including land, air, and water.

59. The Board of Inquiry into New Zealand King Salmon noted at paragraph 596 that "Landscape does not require precise definition. It is an aspect of the environment and includes natural and physical features and social and cultural attributes."

60. Grammatically, it should be 'an area, as perceived by people, the character of which is the result of etc...' A suggested alternative is 'an area as perceived by people, including how the area is understood, experienced, interpreted, and regarded'. This takes the core of the ELC definition, "an area as perceived by people", and clarifies that 'perceived' has a broad meaning—more than visual perception.

61. New Zealand Institute of Landscape Architects, Best Practice Note, Landscape Assessment and Sustainable Management 10.1, 2010, page 5.

62. The draft NZILA Aotearoa/New Zealand Landscape Charter defines landscape as "the cumulative expression of natural and cultural elements, patterns and processes in a geographical area". The 2010 Best Practice Guide took that definition and extended it to reference perceptions and associations.

63. This definition focuses on landscape as the relationship between people and place and describes the three dimensions (physical, associative, and perceptual) in ordinary terms.

Definitions of 'landscape' by professional organisations

4.16 Definitions of 'landscape' by professional landscape organisations typically refer to both a physical area[58] (including the people belonging to an area and their relationship with it), and perceptions of the area—consistent with etymological threads of 'landscape' discussed above.[59]

4.17 The European Landscape Convention (ELC) defines 'landscape' as:

> *...an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.*[60]

4.18 The International Federation of Landscape Architects Asia Pacific Region Charter (of which Tuia Pito Ora/NZILA is a signatory) adopts the ELC definition and adds the following further description:

> *...landscapes are the result of unique combinations of biophysical, cultural and social processes, evolving over time and interwoven with memory, perception and tradition.*

4.19 The 2010 NZILA best practice guide'[61] defines landscape as:

> *...the cumulative expression of natural and cultural features, patterns and processes in a geographical area, including human perceptions and associations.*[62]

4.20 NZILA Landscape Assessment Methodology workshops (November 2017) recommended fine-tuning the Best Practice Guide definition to put perceptual and associative dimensions at the heart of the definition rather than as an after-thought. These Guidelines recommend the following definition:

> *Landscape embodies the relationship between people and place. It is the character of an area, how the area is experienced and perceived, and the meanings associated with it.*[63]

Meaning of 'landscape' as revealed through professional practice

Landscape is an integrating concept

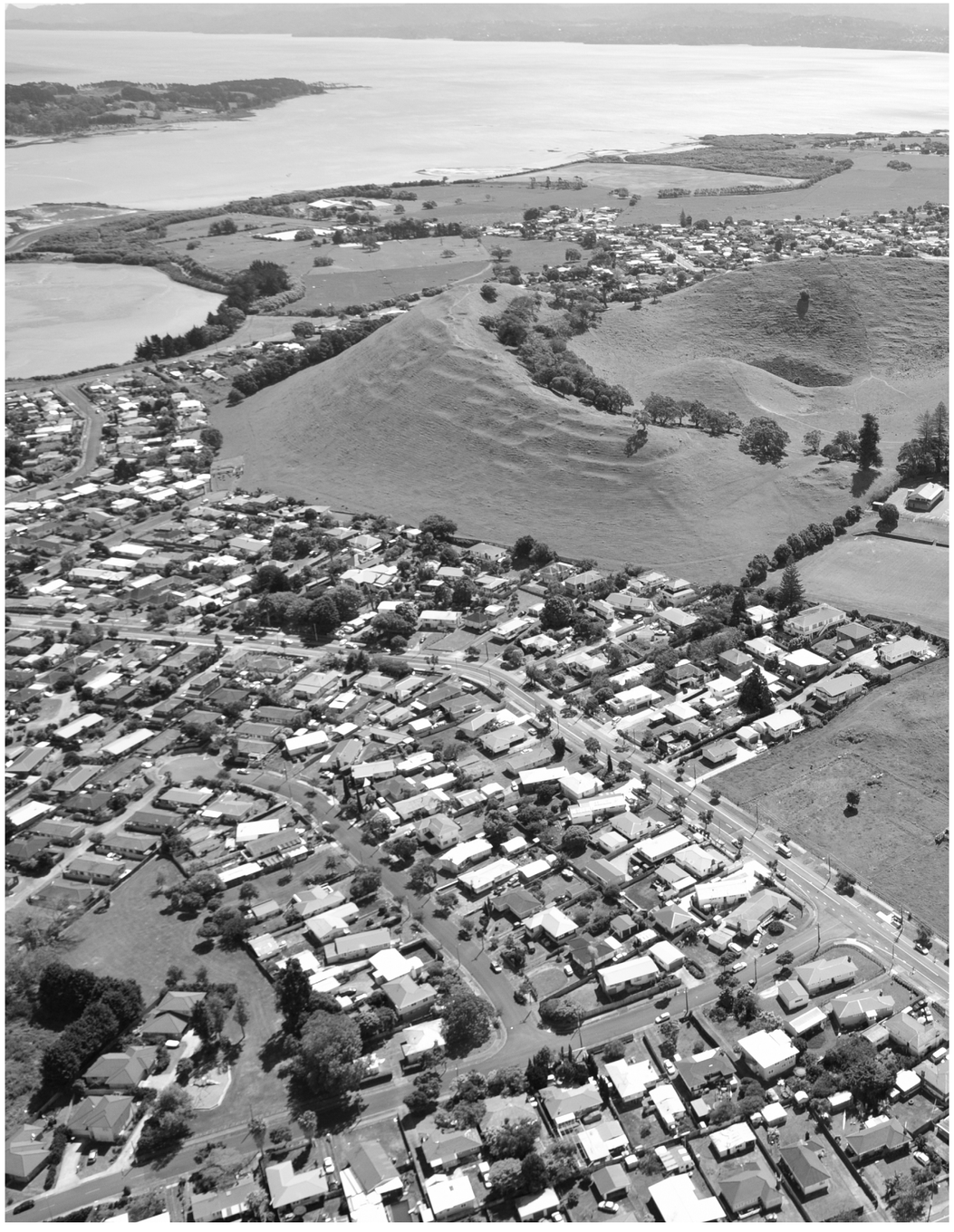
4.21 While understanding a landscape draws on diverse sources (natural sciences, humanities, cultural perspectives), it is perceived and experienced as a unified phenomenon. It is an integrated whole. It is more than a summary of data—the whole is greater than the sum of the parts.

—Kenneth Olwig (2019). 'The Meanings of Landscape'

'"Landscapes are culture before they are nature; constructs of the imagination projected onto wood and water and rock", the historian Simon Schama argues in his book, Landscape and Memory (Schama, 1995: 61). I don't disagree, but landscape is more than a question of culture, imagination, and natural materials. It is also the substantive legal, political, and material practices through which polities shape urban and rural places within regions and countries. And the meanings of landscape are also a question of language, as expressed in word and image, as it evolves through history and from place to place.'

—J B Jackson (1986). 'The Word Itself' from 'Discovering the Vernacular Landscape'

'Landscape is a space on the surface of the earth; intuitively we know that it is a space with a degree of permanence, with its own distinct character, either topographical or cultural, and above all a space shared by a group of people; and when we go beyond the dictionary definition of landscape and examine the word itself we find that our intuition is correct.'



Above: Te Pane o Mataoho/
Te Ara Pueru/Māngere Mountain
Image: David Irvine

64. In other words, we think of people's relationships with place as having three frames of reference–physical, associative, and perceptual.

65. 'Mount Cass Wind Farm' [2011] NZEnvC 384, paragraph 300–301.

66. Some say that biophysical does include people and the built environment because they see the natural/human distinction as an artificial construct.

Landscapes have physical, associative, and perceptual dimensions

4.22 As discussed at paragraph 4.10, current professional practice in New Zealand conceptualises landscape as having overlapping physical, associative, and perceptual dimensions.[64] This is reflected in the recommended definition at paragraph 4.20, and in recent 'case law' such as the Mount Cass decision.[65]

> *Landscape means the natural and physical attributes of land together with air and water which change over time and which is made known by people's evolving perceptions and associations.*
>
> *In keeping with the Act such a definition enables the development of landscape assessment which takes account of:*
> *— natural and physical environment: and*
> *— perceptual; and*
> *— associative aspects (beliefs, uses, values and relationships) which may change over time.*

4.23 To elaborate on these dimensions:

— 'Physical' means both natural and human features, and the action (and interaction) of natural and human processes over time. Other terms sometimes used for this dimension include: 'natural and physical resources' (which echoes RMA phraseology); 'natural and built environment' (which echoes the Randerson Report phraseology); 'physical environment'; geographical'; and 'biophysical'. (The latter is potentially problematic if it is taken to mean only the natural aspects of landscape rather than both natural and human features/processes).[66]

— 'Associative' means intangible things that influence how places are perceived—such as history, identity, customs, laws, narratives, creation stories, and activities specifically associated with the qualities of a landscape. Such associations typically arise over time and out of the relationship between people and place. Tāngata whenua associations are therefore especially relevant because of primacy and duration. Pūrākau, tikanga, whakapapa, and mātauranga are key considerations of the associative dimension from a Te Ao Māori perspective, particularly important when considering matters such as mauri and wairua. Other terms sometimes used for this dimension include 'intangible', 'meanings', 'place-related', and 'sense of place'.

— 'Perceptual' means both direct sensory experience and broader interpretation through the senses. While sight is the sense most typically applied to landscape assessment, direct sensory perception importantly includes all the senses. Examples include the smell of the forest floor, sounds of a city, feel of the wind, sense of movement

in the tides and waterways, and taste of salt on the wind or of foods one associates with a place. Sensory perception typically occurs simultaneously with knowledge, memory, and interpretation. What we know, remember, and imagine influences how we perceive a place.[67] Other terms sometimes used for the perceptual dimension include: 'sensory' (which suggests only raw senses and not the cognitive/interpretative aspect that is implied in the term 'perceptual'), 'aesthetic' (which suggests a focus on only beauty rather than wider appreciation), and 'experiential' (which conveys active engagement and movement, but perhaps not the thinking and interpretative aspects implied in 'perceptual').[68]

Landscapes are perceived through cultural lenses

4.24 Landscape is unavoidably cultural, including Te Ao Māori and Te Ao Pākehā perspectives—both worldviews being unique to Aotearoa/New Zealand. "Any landscape is composed not only of what lies before our eyes, but what lies within our heads."[69] Each of the dimensions is understood through cultural concepts and values. Both Māori and Pākehā approaches bring powerful ideas to landscape assessment. Binding these approaches has the potential to significantly increase the depth of understanding and appreciation of Aotearoa's landscapes.

4.25 To put it another way, cultural ideas influence how we see and what we feel about a landscape. Even wilderness is a cultural concept: it has an objective physical reality that can be interpreted powerfully through scientific understanding but also derives its aesthetic qualities and metaphysical meanings from other cultural ideas.

4.26 Landscape involves understanding and appreciation. It entails an experiential response: what we sense (see, smell, feel, sound, taste, etc) and how we feel about it (including such feelings as reverence, attachment, identity, etc). But this immediate response is informed deeply by knowledge (what we see is what we know), memory (what we see is what we remember), and the values we associate with a place—including pūrākau, whakapapa, tikanga, and mauri.

Landscape is the interaction of its dimensions

4.27 The physical, associative, and perceptual dimensions are not discrete categories. On the contrary, it is the interaction—or tuinga (binding)—of these dimensions that is key to a landscape's character and values—illustrated by the overlaps in the diagrams at paragraph 4.10 (Figure 4). Landscapes are the interaction of their parts, not the sum of them. It is a key reason why landscapes do not yield to rigid methods but require interpretation and reasoned explanation. It would be conceptually wrong, for instance, to 'score' a landscape by assigning ratings to each dimension.

67. While all sensory experience, such as sound and smell in addition to sight, is relevant to landscape, treat such senses in a way that is integral to landscape—part of landscape character and values (see paragraphs 4.37–4.38).

68. The Guidelines settled on 'physical, associative, and perceptual' while recognising that those terms are not perfect or definitive. They represent an abstraction of the variety and complexity of relationships between people and place.

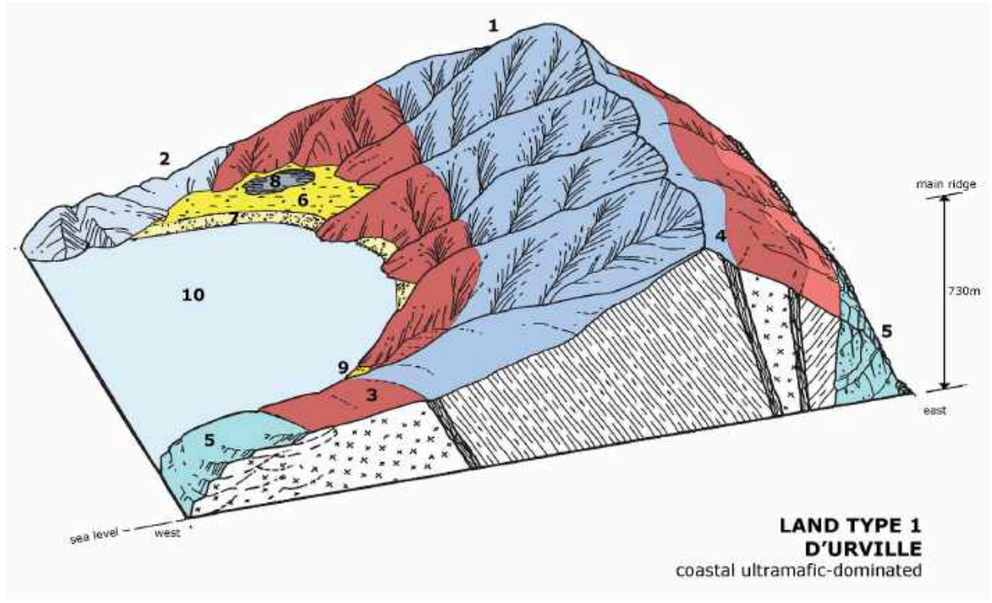
69. Donald Meinig, The Beholding Eye: Ten Versions of the Same Scene, in Meinig and John Brinckerhoff Jackson (ed), The Interpretation of Ordinary Landscapes: Geographical Essays, 1979. Meinig's ten versions of the same scene comprised landscape as nature, habitat, artefact, system, problem, wealth, ideology, history, place, aesthetic.

70. Renata, A., Seeking Cultural Polyvocality in Landscape Policy: Exploring Association and Knowledge Sharing Preferences, PhD thesis, Queensland University of Technology, 2018.

71. As discussed above, different people and communities see the landscape differently and give different weight to certain dimensions and values associated with landscapes. Such differences in landscape interpretation and values are often at the heart of resource management issues. The role of landscape assessors is to provide a professional assessment that pays proper attention to each of the dimensions and seeks to interpret landscape in a balanced way, recognising that there are differences of perception. Such an assessment assists decision-makers compare and understand the input of different parties.

4.28 There is also no hierarchy or stipulated order to the dimensions. Practitioners analyse landscapes from different starting points that often reflect their own perspectives and interests.[70] Many begin with the physical dimension which, in one sense, anchors the others. Understanding a physical environment as landscape, though, requires simultaneous understanding of associations and perceptions. Others begin with associative or visual aspects. In a resource management context, the physical landscape attributes in which such aspects are embodied also need to be understood. But whatever the starting point, the key is paying attention to each of the dimensions and how they relate to each other.[71] As depicted on the diagrams at paragraph 4.10, the dimensions are interconnected and non-hierarchical:

- The interaction between the dimensions is key, not the dimensions by themselves. Landscapes emerge in the overlap.
- Although landscape can be described in a linear way, assessment in practice is typically non-linear—it seeks connections and patterns in an iterative manner.
- There is no necessary order to the process of analysing the dimensions, or in how the landscape is described. It depends on context.
- Proper attention should be given to each dimension. The weight given to matters, though, depends on context and interpretation.
- As with all interpretation, the essence is in the explanation.



Above: Lucas Associates 1997 Marlborough Sounds Land and Marine Ecosystems.

—Agnes Varda (2008).
'The Beaches of Agnes'

'If we opened people up, we'd find landscapes.
If we opened me up, we'd find beaches.'

72. Factors are intertwined. For example, high rainfall on the West Coast results in lush vegetation and very active erosion compared to the dry regimes east of the Southern Alps. Much of the topography of the Southern Alps is influenced by glaciation which is also strongly influenced by climate. Characteristic weather patterns are also part of a landscape's identity, such as the Waikato River's mists, Hauturu-o-Toi's cloud puff, Canterbury's Nor-west arch, and Greymouth's 'The Barber' wind.

73. Such traditions often explain the appearance of features, the whakapapa connections between natural features, the whakapapa connections between the natural world and tāngata whenua, and patterns of occupation and use. Creation and origin traditions are associated with many landscape features – particularly notable examples include Aoraki, Mauao, Taranaki maunga, and Te Mata o Rongokako.

74. Tāngata whenua have a holistic relationship with landscape in each of its dimensions. The highlighting of certain factors in this list is not to be interpreted as restricting tāngata whenua landscape values to such factors (see paragraph 4.15), or indeed to restrict others.

Typical factors

4.29 The following lists illustrate typical factors often considered under the three dimensions.

Physical (natural and human):
- geology and geomorphology
- topography and hydrology (including drainage patterns)
- climate and weather patterns[72]
- soil patterns
- vegetation patterns
- ecological (flora and fauna) and dynamic components
- patterns of settlements and occupation
- roads and circulation
- patterns of land use
- cadastral patterns expressed in patterns of land use, block and lot size ('grain')
- buildings
- archaeology and heritage features
- tāngata whenua features.

Associative:
- tāngata whenua creation and origin traditions manifest in landscape features[73]
- tāngata whenua associations and experience—(historic, contemporary, and future)[74] including pūrākau, whakapapa, tikanga, and mātauranga
- tāngata whenua metaphysical aspects such as wairua and mauri
- legal personification of landscape features
- shared and recognised values of a landscape derived from community life including associations with the community's livelihood, its history and reason for being in that place, places of social life and gathering, places that hold metaphysical meanings such as retreat, contemplation, and commemoration
- sense of identity, embodied in attributes that are emblematic of an area, places that are central to a community (main street, wharf, park), features that are anthropomorphised (e.g. Te Mata o Rongokako)
- activities that take place in certain landscapes such as traditional food and resource gathering, recreational use, food and wine that reflect a locale, tourism based on landscape experience or appreciation of a landscape's qualities.

Above: Te Wānanga, Tāmaki Makaurau
Image: David St George

75. Clive Anstey, pers. comm., 2020.

Perceptual:
- geomorphic legibility (how obviously a landscape expresses the geomorphic processes)
- wayfinding and mental maps (legibility or visual clarity of landmarks, routes, nodes, edges, and areas of different character)
- memorability
- coherence (the extent to which patterns reinforce each other, for example between human patterns and underlying natural landscape)
- aesthetic qualities
- views.

Note that physical, associative, and perceptual factors are sometimes transient: they may be present occasionally or seasonally or in different weather conditions. An assessor should be awake to such transient or ephemeral attributes that may not be immediately apparent.

4.30 Visual matters are integral to landscape rather than a separate category or factor. Physical, associative, and perceptual dimensions are each experienced visually (as well as through other senses).

> *We all have a 'watchful eye' that scans the view and takes in the bigger picture. What we 'see' depends on our needs and expectations, our intuition and experience. The view is a summary expression of infinitely complex relationships. We can be intimately embedded in such relationships, or we can be detached observers. What a landscape or a place means to us and how we value it depends on our relationship with it and with those who live in it.*[75]

4.31 To reiterate, while factor lists are useful reminders, they are not a formula:
- factors straddle dimensions (e.g. 'naturalness' results from the interplay of physical, associative, and perceptual dimensions)
- not every factor is relevant everywhere
- factors that are not listed may be relevant
- the relative weight given to a factor depends on context
- assessing and interpreting such factors (and the conclusions and recommendations that flow from them) is a matter of professional judgement—as with all matters of professional judgement, explanation and reasons are key.

—Paul Williams, 'New Zealand Landscape: Behind the Scene,' 2017

'Appreciation of what we see is enhanced by a capacity to look beyond the postcard beauty of the scene, and to piece together how it all evolved: to reconstruct its history and discern how and why it developed. ...to 'read' the landscape so that awareness and appreciation of what lies behind the scene can be enhanced...'

Above: Skippers–Kimiakau/Shotover Valley, Queenstown, Otākou/Otago
Image: Richard Denney

Pigeon Bay factors

4.32 The three overlapping dimensions (physical, associative, perceptual) embrace earlier factor lists such as the 'Pigeon Bay criteria'[76] and 'Lammermoor list'.[77] Those lists provide useful guidance on the range of things to consider. They are also important from an historical perspective. They are included in some statutory plans and policy statements.[78] For completeness, the Pigeon Bay factors are:

(a) *the natural science factors—the geological, topographical, ecological and dynamic components of the landscape;*
(b) *its aesthetic values including memorability and naturalness;*
(c) *its expressiveness (legibility): how obviously the landscape demonstrates the formative processes leading to it;*
(d) *transient values: occasional presence of wildlife; or its values at certain times of the day or of the year;*
(e) *whether the values are shared and recognised;*
(f) *its value to tāngata whenua;*
(g) *its historical associations.*

4.33 The benefit of re-packing such factors as three overlapping dimensions (physical, associative, perceptual) include:
— accommodating both tāngata whenua and Western world views in a holistic manner
— linking the dimensions explicitly to the definition of 'landscape'
— providing flexibility to include other relevant factors and criteria depending on context[79]
— discouraging use of checklists as a kind of formula.

4.34 Landscape assessors will nevertheless need to work with lists of factors and criteria in different situations. Competent assessors will be aware that they are tools and not treat them as formulas.

76. The factors set out in the Pigeon Bay criteria were originally developed in the Canterbury Regional Landscape Study, Boffa Miskell Limited and Lucas Associates, 1993. They were formalised in the 'Pigeon Bay' Decision No. C32/99, and slightly revised in the 'WESI' Decision C180/99 (and therefore sometimes referred to as the WESI factors). They were initially referred to as 'criteria' but several decisions (including the WESI decision) have made the point that they are 'factors' rather than evaluative criteria.

77. Also referred to as the 'Maniototo factors. Project Hayes' [2009] NZEnvC Decision C103, paragraph 202.

78. For instance, the Pigeon Bay factors are the basis of the assessment factors listed in Policy 15(c) of the NZCPS, and for outstanding natural features and landscape in the Auckland Unitary Plan and Horizons One Plan.

79. The Pigeon Bay factors are not well suited to urban landscapes for example.

'...once a certain idea of landscape, a myth, a vision, establishes itself in an actual place, it has a peculiar way... of making metaphors more real than their referents, of becoming, in fact, part of the scenery.'

—Simon Schama, Landscape and Memory (1995), p.61

Left: Te Mata o Rongokako (the Sleeping Giant)
Illustration: Sophie Blokker
Right: Te Mata o Rongokako
Image: Duncan Brown, HB Today

Top: Te Mata Peak and Tukutuki River
Painting: Philip Beadle

— Meinig (1979), ‘The Interpretation of Ordinary Landscapes’ p44.

‘All landscapes incorporate one aspect which is so pervasive as to be easily overlooked: the powerful fact that life must be lived amidst that which was made before’

Above: Night Sky at Matariki from Maungawhau Summit
Image: Linda Sun

80. The trajectory of a landscape is not inevitable of course. The point of assessment and design is to influence the future: be that to strengthen positive trends, reverse negative ones, or to set a new direction altogether. However, understanding and working consciously with history is key to that work and is elaborated in following chapters.

81. As discussed in paragraph 4.23, sensory experience, such as sound and smell, is integral to landscape in the same way as sight. However, treat such sensory experience in a way that is integral to landscape—part of integrated landscape character and values. Do not confuse with specialist disciplines such as acoustics, odour, and air quality nor with the assessment of noise or odour effects.

82. Refer to paragraph 4.04.

83. See ‘WESI’ [1999] NZEnvC Decision C180/99, paragraph 79. “It is wrong...to be overly concerned with ‘double-counting’. ...That is to adopt an over-schematic approach to sections 5 to 8 which is not justified. Those sections do not deal with issues once and once only, but raise issues in different forms or, more aptly in this context, from different perspectives, and in different combinations...”

Temporal aspects (time and place)

4.35 Landscapes evolve. Each landscape contains its history—where it has come from and where it is going. For example, a town will reflect its origins (why it is where it is) and the patterns of its earlier development. It will also have a ‘trajectory’ (where it is going—for instance its changing function, whether it is growing or declining). Similarly, people’s relationships with places change. The town’s culture and what is valued about it will evolve over time. History is more than a landscape’s past and its ‘heritage’ features: It is the past/present /future story that helps to understand and interpret the landscape.[80]

Transient aspects

4.36 Landscapes also vary with daily, seasonal, and annual patterns, and with weather. ‘Transient values’ arise from such variations. Each of a landscape’s dimensions contains transient aspects. Transient physical attributes include such things as tides, whitebait runs, wading bird migrations. Transient associative attributes include place-based festivals and commemorations such as Matariki, Anzac traditions, harvest festivals. Transient perceptual attributes include sunrise on the hills, bush in the rain, a starry clear winter’s night. The value is not transience per se but the attributes at different times and in different conditions.

Double counting

4.37 Landscape assessments are sometimes criticised for double counting information from other disciplines, such as tāngata whenua perspectives, ecology, and historical heritage. That criticism could be valid if such input is merely collated as a catalogue of information. But it is not double counting if the input is woven into the assessment of landscape as part of an integrated whole. For example, cultural narratives, geomorphology, ecology, and aesthetics are typically experienced together as landscape. Landscapes are a whole. The parts typically resonate with each other. Integrating different types of information is central to landscape architecture expertise.[81]

4.38 Conversely, ‘landscape’ is sometimes adopted as a term by others: For example, ‘landscape ecology’, ‘heritage landscape’, and ‘cultural landscape’. In those contexts, the word ‘landscape’ is used because of its spatial scale and integrating nature. In each of those contexts the focus is also on the qualifying term such as ecology, heritage, or culture.[82] Such approaches are likewise not double counting, but simply looking at areas from different perspectives.[83]

Landscapes have generic and specific character

4.39 Each landscape has a unique character. Landscapes also fall into types (or kinds) depending on shared characteristics. For example, 'rural landscapes' or 'urban landscapes' are landscape types based on certain general characteristics, but each rural or urban landscape also has its own specific character that is more than the type. Similarly, Banks Peninsula and the Canterbury Plains are contrasting landscape types—composite volcano and out-wash plain. Within Banks Peninsula, Lyttelton and Akaroa Harbours are a common type—flooded craters—but each has its own distinct character and attributes.

4.40 It is important not to conflate specific and generic character. Specific character conveys more than generic character. It is often more pertinent to managing a landscape's values than generic character. Even where it is generic character that is relevant (such as in response to a policy to maintain rural character), it will occur in the context of specific character. A pitfall is to focus on generic attributes (such as ruralness or naturalness) and overlook the specific character.

Cultural landscapes

4.41 'Cultural landscape' has different meanings depending on context:
- 'Cultural construct' is the idea that landscapes are seen through cultural lenses so that all landscapes, even wilderness, are 'cultural landscapes' as discussed above at paragraphs 4.24–4.26.[84]
- 'Cultural landscape' in international professional landscape usage means landscapes resulting from human processes, as reflected in the 1973 NZILA Statement of Philosophy: "the landscape reflects the cumulative effects of natural and cultural processes."[85]
- In Aotearoa, 'cultural landscape' often means landscapes valued specifically by tāngata whenua for Te Ao Māori cultural reasons—including natural landscapes that are valued because of traditions, ancient stories, and historical associations. For instance, "A defined area or place with strong significance for mana whenua arising from cultural or historical associations and includes connected natural, physical or metaphysical markers or features."[86] Specific methods have been developed for such cultural landscape assessment. Spatially, cultural landscapes may comprise a network of connected places that are understood as part of a whole.
- The term 'cultural landscape' is also considered the most appropriate term for landscapes valued for cultural reasons by Pākehā and other communities, for which similar principles would apply.[87]

84. Landscape values are ascribed by people. The term 'intrinsic values' means those values deemed to exist independently of human values, such as a landscape's inherent natural characteristics, or values ascribed to features in their own right because such features are deemed to have the legal status of a person (e.g. Whanganui River, Taranaki maunga). Without taking anything from such important concepts, the ascribed values are unavoidably cultural constructs.

85. This is also how landscape is defined in the draft Aotearoa New Zealand Landscape Charter: "...the cumulative expression of natural and cultural features, patterns and processes in a geographical area". It is consistent with the influential cultural geographer Carl Sauer's definition of cultural landscape: "The cultural landscape is fashioned from a natural landscape by a cultural group. Culture is the agent, the natural area is the medium, the cultural landscape is the result."

86. Report of the Resource Management Review Panel (the 'Randerson Report'), June 2020, page 99. The report comments that "Recognition of interconnections and that a cultural landscape can be 'more than the sum of its parts' will enable the multi-faceted relationships that mana whenua have with land and water to be adequately protected and restored". The Guidelines are consistent with this recommendation. However, the Guidelines also promote the idea that landscapes are significant to all communities and that the term cultural landscape is capable of broad meaning depending on context.

87. 'Bayswater Marina' [2009] NZEnvC Decision A18/09, paragraphs 121–122. "[121] How we assess and address landscape issues depends on how landscape is defined. Although landscape used to be (and sometimes is still) regarded in visual or visibility terms only, the RMA and the New Zealand Coastal Policy Statement make it clear landscape is more than that, although it specifically includes the visual aspect of landscape. Neither is it simply a total of bio-physical elements, patterns and processes occurring over time, even though these are regarded as formative landscape factors. And while the natural formative factors are relevant, the landscape is also more than the natural landscape. There are many definitions of landscape, and although the RMA does not specifically define landscape, it leads us to include both specific features of land and water, as physical objects which are to be qualitatively considered, and people's values and perceptions of landscape. This in turn indicates a strong cultural basis to the definition of landscape. [122] Different cultures hold different values about landscape and values may change over time and according to context. A landscape may convey different memories or meanings to the same or different people. Considerations of economic and material aspects of landscape are significant values in the case of [Bayswater Marina Ltd]. So while landscape is a cultural construct (as is justice and language), it is a construct which in terms of the RMA is assigned with certain properties which must be considered. The landscape is not simply what is out there, the open space, reclamation, the coastline and harbour or the townscape. It is not simply what people see (although it includes this) but is what people perceive it to be and how they value the landscape. This in turn is influenced by people's relationship with the landscape: be it owner, leaseholder, resident, recreational user, or visitor."

88. Tongariro National Park, for example, is classified as a World Heritage Area for both its natural and cultural values. Such an approach to classification could be called a landscape approach.

4.42 The UNESCO World Heritage Committee identifies three types of cultural landscape:
- a landscape designed and created intentionally by man (sic)
- an organically evolved landscape
- an associative cultural landscape—(a landscape valued because of the religious, artistic, spiritual, historic, or cultural associations of the natural element).[88]

Tāngata whenua cultural landscapes

4.43 Cultural landscapes important to tāngata whenua warrant recognition both for landscape assessment in general and specifically as a matter of national importance under s6(e) RMA.

> *... the relationship of Māori and their culture and traditions with their ancestral landscape, water, sites, waahi tapu, and other taonga.*

4.44 Such cultural landscapes can comprise relatively small areas and features but are often landscapes comprising a network of places and connections in which the whole is greater than the sum of the parts. They comprise tangible and intangible aspects. They can comprise urban, coastal, rural, and natural landscapes. They can be conceived of in terms of the physical, associative, and perceptual dimensions.

4.45 When considering cultural landscapes:
- explain the precise meaning in which you use the term
- recognise that all cultures attach value to landscapes (natural and built) and see landscapes through cultural lenses
- acknowledge precedence to tāngata whenua cultural landscapes in Aotearoa
- recognise that cultural values change over time
- explain the specific values rather than relying on generic parameters
- as with all professional assessment, be transparent and provide reasons.

Built environment landscapes (urban landscapes)

4.46 'Urban landscapes' are a type of landscape which fall within the same conceptual framework as all other landscapes. While 'landscape' is often associated with countryside, towns and cities are just as much a landscape type. 'Townscape' is an alternative term for 'urban landscape'. For the avoidance of doubt, 'urban landscapes' do not just mean the natural or green parts of cities. Urban landscapes comprise the physical urban environment (its topography, streets, buildings, open spaces, and their related processes and activities), how people perceive it (its legibility, memorability, aesthetics), and what it means (its identity, history, sense of place).

4.47 The following list[89] illustrates typical factors (amongst many others) that contribute to urban landscape character:[90]

- context or setting of the urban area and its relationship to the wider landscape
- topography and response of urban form to topography
- contribution of natural features such as coastlines, rivers, watercourses, maunga, hills, headlands, harbours
- grain of the built form and its relationship to historic patterns
- layout and scale of built form, density of development and building types, including architectural characteristics, period, and materials
- patterns of activities (land use) past and present
- nature and location of vegetation, including the different types of green space and tree cover and their relationships to buildings and streets and topography
- types of open space and character and qualities of the public realm (public domain)
- access and connectivity, including streets (street networks and patterns, pedestrian circulation)
- places and values of significance to tāngata whenua, such as whakapapa, kōrero tuku iho, mana, and the observable mauri of a place
- sense of place including historical associations, identity.

4.48 Many of the detail factors for urban landscapes fall under the banner of urban design. Urban design is sometimes conceived of as a specialist discipline and sometimes as the overlap between different disciplines (architecture, landscape architecture, planning, transport). Do not be overly concerned with such distinctions. The urban environment does not belong to a profession. The focus is the environment—not the profession. The important matter is that landscape assessors working in urban environments are knowledgeable and informed on matters relating to such environments—as for all other landscape types. The point is to assist decision-makers (and others) on matters within your expertise relating to the urban landscape.[91]

Coastal environment landscapes

4.49 The coastal environment has special relevance because it has its own national policy statement, the 'New Zealand Coastal Policy Statement 2010' (NZCPS). It is relevant to the requirement of s6(a) RMA to preserve the natural character of the coastal environment. Natural character is covered under Chapter 9.

4.50 The coastal environment includes both land and sea. It is described in Policy 1 of the NZCPS as (amongst other things) "areas where coastal processes, influences or qualities are significant…" and as including the "coastal marine area" which comprises the extent of territorial waters (12 nautical miles from the mainland or islands). Landscapes in the coastal environment have the same spatial extent as the coastal

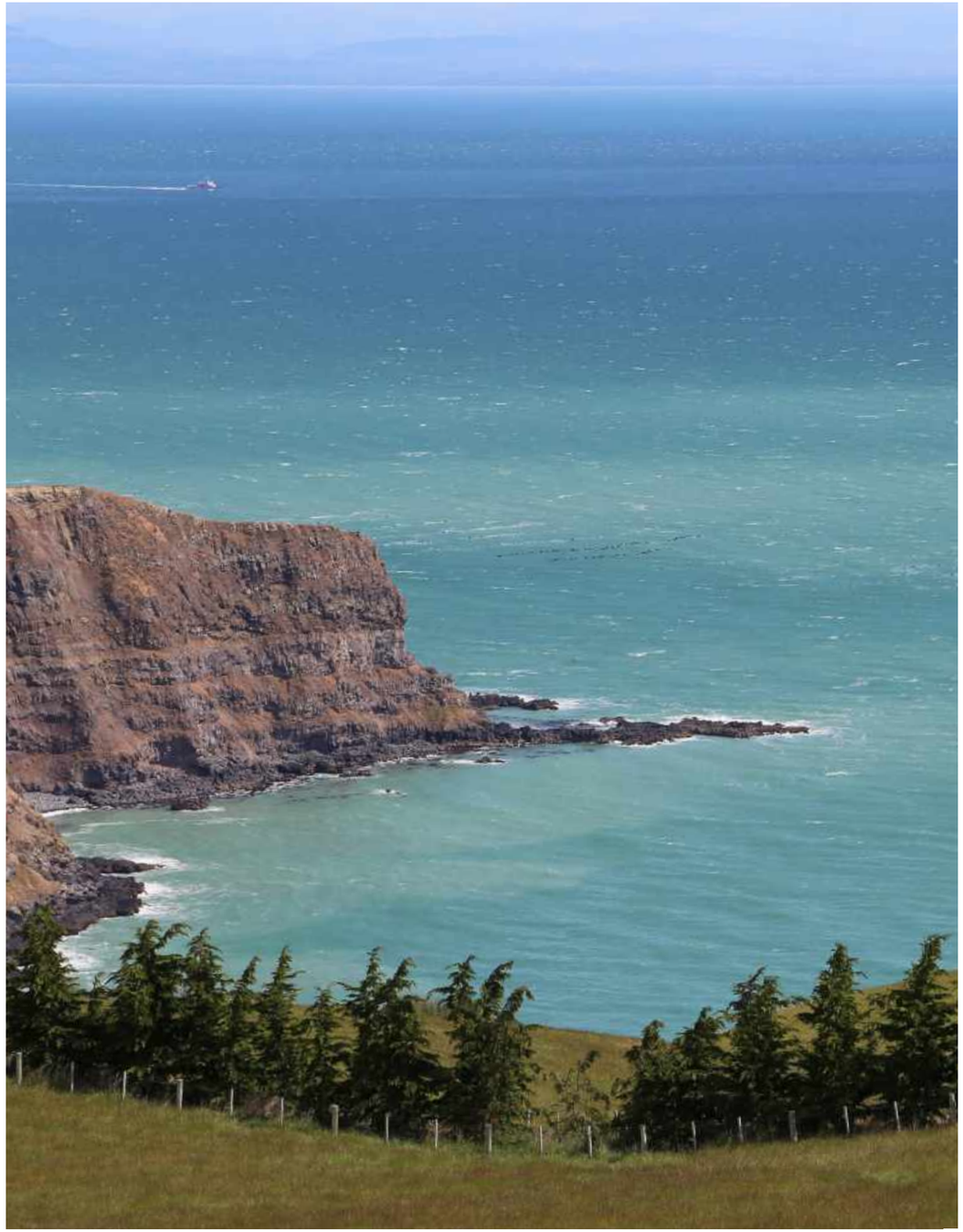
89. The list is adapted and expanded from a list of factors in 'Guidelines for Landscape and Visual Impact Assessment (GLVIA)', Landscape Institute and the Institute of Environmental Management and Assessment, Third Edition, 2013, section 5.5, Townscape Character Assessment.

90. It has been observed that the list in the following paragraph could also be applied to rural landscapes which reinforces the point that different types of landscape fall within the same physical, associative, and perceptual framework.

91. It was reported, for instance, that landscape architects and urban designers often reach different findings on visual effects in urban areas because urban designers tend towards immediate context and landscape architects towards broader context. Such professional bias could get in the way of properly assessing effects. Effects occur at different scales and do not tidily respond to profession. Focus on the effects themselves, on your own expertise, and on assisting decision makers, rather than distractions around professional boundaries. You will be of more assistance if you are outward looking than adopting overly narrow boundaries.

As discussed in Chapter 2, expertise is based on qualifications/ training, relevant experience, and certain behaviours. Be confident of those things as the foundation for your assessment. Membership of a professional institute (such as Tuia Pito Ora) supports those attributes because the Institute accredits qualifications, requires compliance with a code of ethics, and maintains standards through such processes as professional registration and CPD.

A helpful discussion on these topics was published by Lisa Mein and Ian Munro on the Urban Design Forum website: 'Reflections on the nature and extent of urban designers as expert witnesses and members of a profession'. (6 August 2021)'



Above: Te Pataka o Rakaihautū/ Banks Peninsula
Image: James Bentley

environment—extending to the extent of territorial waters.[92] The land and the sea are interconnected in such landscapes.

4.51 Landscapes in the coastal environment continue below the water—they do not stop at the shoreline or sea's surface.[93]
- Underwater landscapes are connected physically and through processes with terrestrial landscapes—moana with whenua.
- The connections can be observed in such instances as tidal harbours, or in surface expressions of underwater features, and can be perceived remotely through charts and other data. Shorelines fluctuate in tidal harbours so the delineation of such landscapes should not be based on visibility alone. Underwater features can be expressed indirectly on the surface, such as fish habitat associated with a reef, which attracts sea birds and boats fishing the reef.
- Communities can have associations with underwater features (e.g. Pania Reef at Napier) and well-known river bars that have associated histories and folklore (e.g. the Manukau Bar). From a Te Ao Māori perspective Te Tai Moana is indivisible—the visible surface is integral with the underwater zone which is unseen but evident in other ways.
- The RMA defines land as including land covered by water (RMA s2).
- Underwater outstanding natural features and landscapes have been formally identified.[94]

4.52 There are, of course, differences between underwater and terrestrial landscapes that should be recognised where relevant.

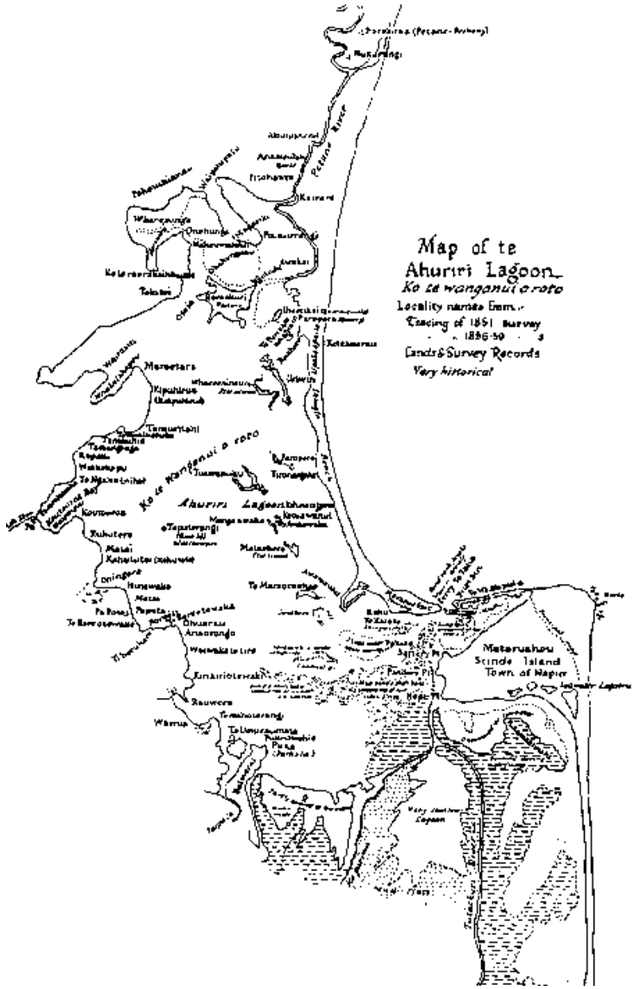
4.53 Factors specific to landscapes in the coastal environment include, for example:
- coastal and marine landforms (headlands, peninsulas, cliffs, dunes, reefs, spits, bays, seabed, underwater topography, sediments...)
- coastal and marine biota and ecosystems (pōhutukawa, kelp, seabirds, fish, dune ecosystems, reef ecosystems...)
- coastal processes (tides, waves, weather, erosion, deposition...)
- coastal human features (quays, wharves, pontoons, lighthouses, ports, shipwrecks, shipping channels, infrastructure...)
- land use patterns oriented to the sea (the location and form of coastal towns and settlements, orientation of transport...)
- coastal activities (shipping, boating, swimming, surfing, fishing, kai moana gathering, beach combing, star gazing...)
- coastal weather patterns (sea mist, on and offshore winds, wave patterns...)
- views to and from the sea
- other experiential aspects (the sound and smell of the sea, lap of the tides, reflected light on the sky, the taste of kai moana...).

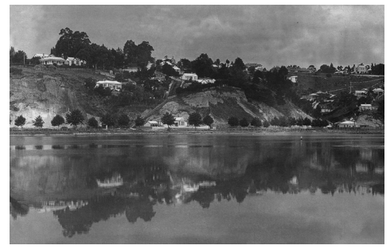
4.54 While there are specific factors such as these to consider, landscapes in the coastal environment nevertheless fall within the same conceptual framework as all other landscapes.

92. 'Seascape' has currency because it is referred to in NZCPS Policy 15. In the context of the NZCPS, seascapes are a sub-set of landscapes in the coastal environment. Perhaps the point intended in that policy is simply that landscapes include the sea. See, for example, 'Clearwater Mussels' [2016], NZEnvC 21, paragraph 64 "Within the Marlborough Sounds context the seascapes are an integral part of the landscape."It seems an unnecessary term that is more likely to confound than clarify (as the authors discovered). For completeness, it is noted that the UK GLVIA defines seascape as "landscapes with views of the coast or seas, and coasts and adjacent marine environments with cultural, historical and archaeological links with each other".

93. See also 'Clearwater Mussels' [2018] NZEnvC 88, paragraph 192. "There is a degree of artificiality in the methodologies of each of the landscape architects, in that they split the coastal environment into discrete terrestrial and water components. [...] In reality, there are no such divisions in how a person would typically perceive the natural character of the coastal environment. In terms of s6(a) RMA and related NZCPS, Sounds Plan and pEMP objectives and policies, 'the natural character of the coastal environment is more properly to be assessed holistically'...".

94. The Bay of Plenty Regional Coastal Environment Plan includes underwater ONFLs. For example, ONFL44 includes Astrolabe Reef, Okaparu Reef, and Brewis Shoal.





Left: Map of Ahuriri Lagoon, 1851. Images top to bottom: Westshore Bridge c1910.
Looking across South Pond towards Battery Road. Ahuriri Port pre–1931. Napier Hill 1877/78.
Images: Hawke's Bay Museum

Above: Pania of the Reef, Ahuriri
Mural: James Bullough

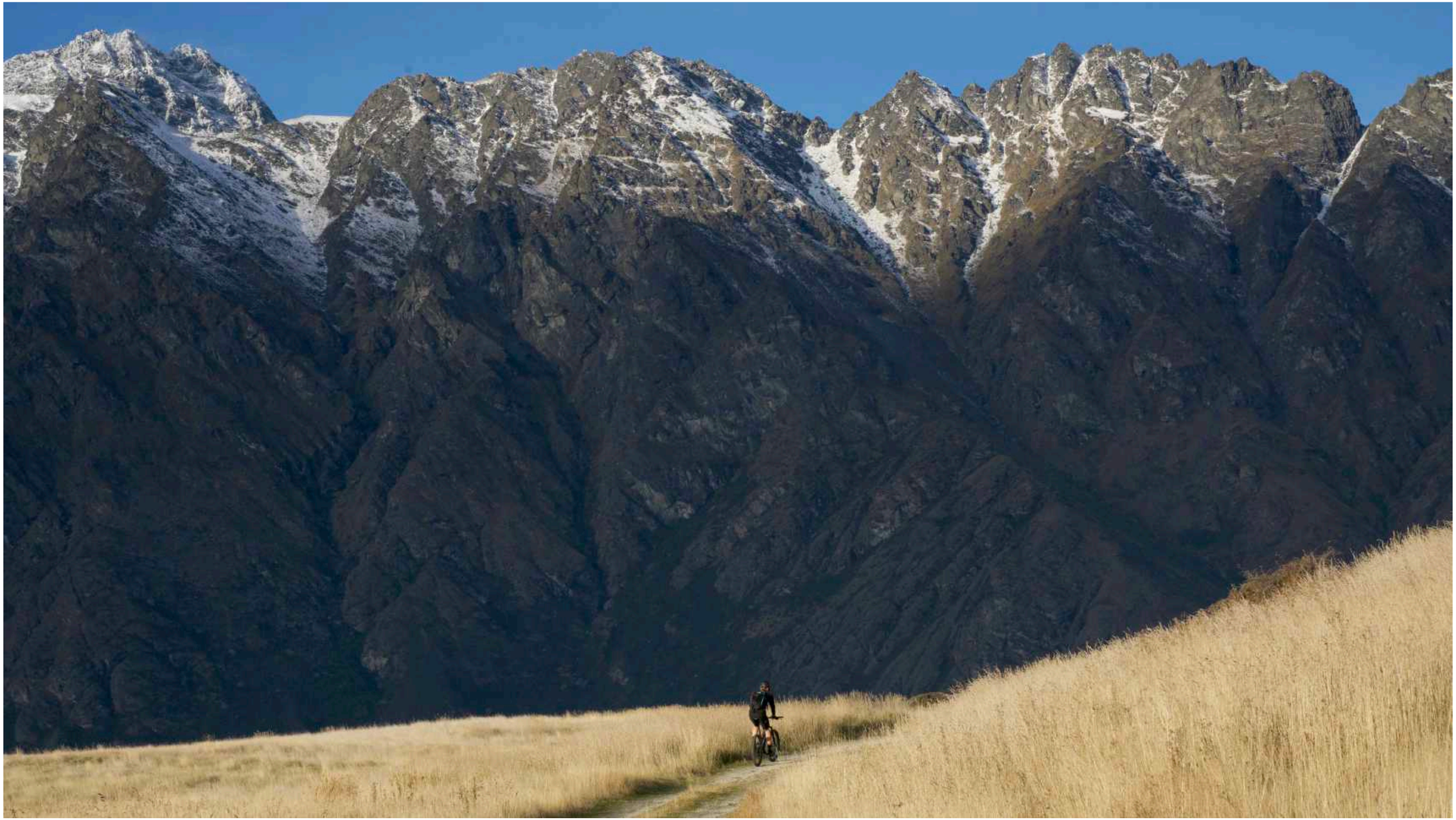
95. Excerpt from J.B. Mozley sermon, 1876, quoted under the 'landscape' entry in the Oxford English Dictionary.

All landscapes share a common conceptual framework

4.55 The suffix 'scape' often indicates a landscape type (townscape, seascape) or typical elements (streetscape, nightscape, skyscape). For example:

- 'Riverscape' has been coined to refer to the character and values of rivers. Rivers are central features of landscapes; their catchment boundaries often define the extent of a landscape, and they often connect a sequence of landscapes. Awa are key elements in terms of Māori cultural association, as evidenced for example in Te Awa Tupua Act (2017) that recognises the Whanganui River as a legal entity.
- 'Skyscape' draws attention to an often-overlooked aspect of landscapes. For example, the sky has different hues toward the coast, greater presence in open 'big-sky' landscapes, and much of a landscape's transient qualities are due to changing sky conditions. "There are no two more different landscapes than the same under altered skies".[95]
- The darkness of the night sky (nightscape) is a landscape value formally recognised in dark sky reserves and sanctuaries. It is listed in the NZCPS as an aspect of a coastal environment's natural character. Some organisations, such as Waka Kotahi and territorial authorities, are taking steps to reduce the effects of street lighting on the night sky.
- Matters in urban areas are sometimes localised to 'streetscape'. That term covers the character of the street and its adjacent properties. It typically includes the physical patterns, aesthetic qualities, and activities.

4.56 Importantly, as discussed above, the different landscape types fall within the same conceptual framework as all other landscapes. While landscape types are a handy shorthand and can help focus the assessor on matters specific to the type, there are also pitfalls. Overly focusing on landscape types can unnecessarily distract from i) the whole landscape, ii) the specific landscape, and iii) the overarching concepts and principles that apply to all landscapes. In a Te Ao Māori approach, all such types are inter-connected.



Above: Kawarau/Remarkables—viewed from Jacks Point Otākou/Otago
Image: Richard Denney

Let it be said that I caress my land

Waiho rā kia whakautua tāku whenua

Whakarāpopototanga

Summary

Landscape is a Western concept that is evolving a distinctive flavour in Aotearoa New Zealand.

Landscape embodies the relationship between people and place. It is the character of an area, how the area is experienced and perceived, and the meanings associated with it.

Whenua is the nearest Te Reo term for landscape, although the terms are not directly interchangeable. Whenua contains layers of meaning concerning people's relationship with the land.

Professional practice conceives of landscape as comprising three dimensions: the physical environment, peoples' perceptions of it, and the meanings and values associated with it. This concept, integrated with mātauranga, provides a potential bridge between whenua and landscape.

Landscapes:
— are experienced as a whole—the interaction of their dimensions
— are interpreted as a combination of characteristics and qualities
— are seen through cultural lenses
— change with time, including how people understand, perceive, and attach meaning to them
— are each distinct and specific
— are natural, rural, urban, and maritime.

Whenua Aromatawai

05

Assessing Landscapes

Landscape character and value

5.01 To assess a landscape is to assess its character and values.

5.02 While landscape assessment methods vary, they are all based on landscape character and values. Character is an expression of the landscape's collective attributes.[96] Values are the reasons a landscape is valued. Values, though, are embodied in attributes. Effects are consequences for a landscape's values resulting from changes to attributes. The landscape's values are managed through managing such attributes.

5.03 There are logical connections, therefore, between the definition of landscape (Chapter 4), how landscape character and values are assessed (Chapter 5), how effects on landscape values are analysed (Chapter 6), and how a landscape's values are managed (Chapter 7).[97]

Character

5.04 Landscape character is each landscape's distinct combination of physical, associative, and perceptual attributes. A landscape's character entails:
- both tangible and intangible attributes[98] and
- the attributes in combination (as a whole) and
- especially the combination that makes a place distinct.[99]

> *Character*
>
> *The* **distinctive nature** *of something.*
> *The quality of being individual in an interesting or unusual way.*[100]
>
> *The particular* **combination** *of qualities in a …place that makes (it) different from others.*[101]
>
> *…all the* **qualities** *that make…a place…***distinct** *from other … places. If something has a particular character, it has a particular quality.*[102]

5.05 Landscape character is more than its physical elements. Character encompasses everything about a landscape—its physical, associative, and perceptual dimensions. As used in these Guidelines, 'attributes' means the same as 'characteristics and qualities'.[103]

Values

5.06 Landscape values are the various reasons a landscape is valued—the aspects that are important or special or meaningful. Values may relate to each of a landscape's dimensions—or, more typically, the interaction between the dimensions. Values can relate to the landscape's physical condition, meanings associated with certain landscape attributes, and

96. See 'Blueskin Energy' [2017] NZEnvC150/17, paragraph 168. "Rather than enumerate the attributes of the landscape which they value, [the residents'] evidence tended to focus on the landscape's character—being the combination of attributes that give the area its identity…"

97. These Guidelines take a different approach to some overseas guidance that would limit the description of character to physical characteristics and make a sharp distinction between character and value. To clarify the difference, other approaches conceptualise character as the tangible physical aspects and conceptualise values as what we would describe as associative attributes (the intangible aspects). By contrast, these Guidelines consider that character is the combination of tangible and intangible characteristics, and values are the reasons the landscape is valued.

98. Tangible and intangible attributes comprise the physical, associative, and perceptual dimensions (and their constituent factors) discussed in Chapter 4 of the Guidelines. For comparison, the UK guidelines likewise recognise that character includes both tangible and intangible characteristics. "Character is not just about the physical elements and features that make up a landscape, but also embraces the aesthetic, perceptual and experiential aspects of the landscape that make different places distinctive." GLVIA op cit, section 2.19.

99. Generic character or type are abstractions of each landscape's specific character.

100. Online Oxford Languages.

101. Cambridge online dictionary.

102. Collins online dictionary (all emphases added).

103. Some documents, such as the New Zealand Coastal Policy Statement (NZCPS), refer to "characteristics and qualities". This makes clear that character covers both tangible and intangible attributes. In these Guidelines, 'attributes' covers both physical characteristics and intangible qualities.

104. Online Oxford Languages.

105. Cambridge online dictionary.

106. Collins online dictionary (all emphases added).

a landscape's aesthetic or perceptual qualities. Importantly, landscape values depend on certain physical attributes. Values are not attributes but are embodied in attributes (see paragraph 5.28).

> *Value*
>
> *The **regard** that something is held to deserve; the **importance**, worth, or **usefulness** of something*[104]
>
> *The **importance** or **worth** of something for someone*[105]
>
> *The value of something such as a quality...is its **importance** or **usefulness**. If you place a particular value on something, that is the importance or usefulness you think it has*[106]

All landscapes have values

5.07 Landscape values are not limited just to special landscapes. Ordinary landscapes, where we mostly live our lives, have value to those who live in them and pass through them. Such 'everyday landscapes' collectively contribute to New Zealand's overall landscape quality. Landscape management requires managing the values of all landscapes.

Potential values

5.08 Landscape values include potential values. Landscape management is not limited to maintaining existing values but includes realising new values and restoring those values that have been lost or degraded.

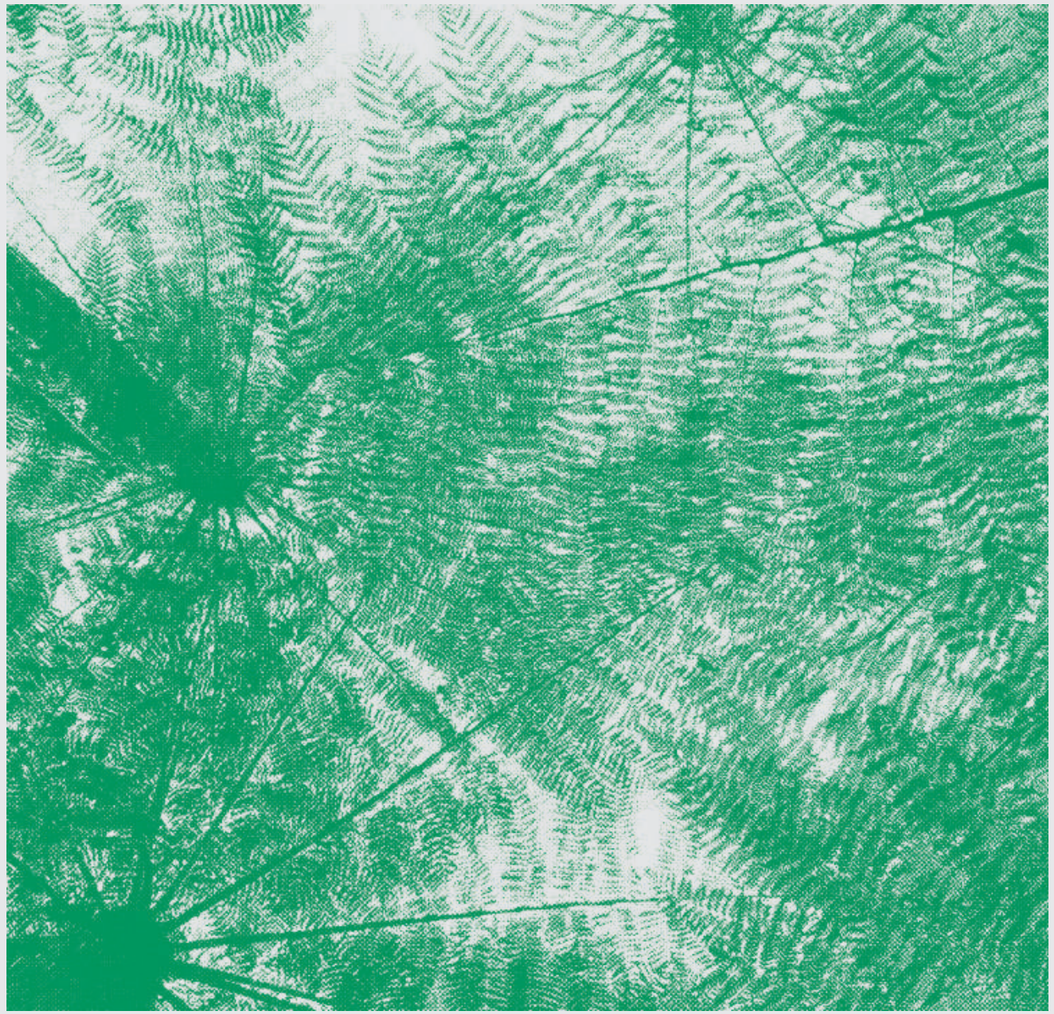
Values are ascribed

5.09 Values are ascribed by people. Even natural values, which may be referred to as 'intrinsic', are ascribed by people.

5.10 Contested landscape values are often at the heart of resource management issues. Differences in how landscape values are perceived can reflect different interests and perspectives. As discussed at paragraph 2.23, the role of landscape assessors is to provide an impartial assessment of landscape character and values (and effects on values) to assist decision-makers and others. Decision-makers will use the information provided by landscape assessors in conjunction with submissions and the relevant statutory provisions.

It is not a new thing that has appeared here—it comes from Hawaiki

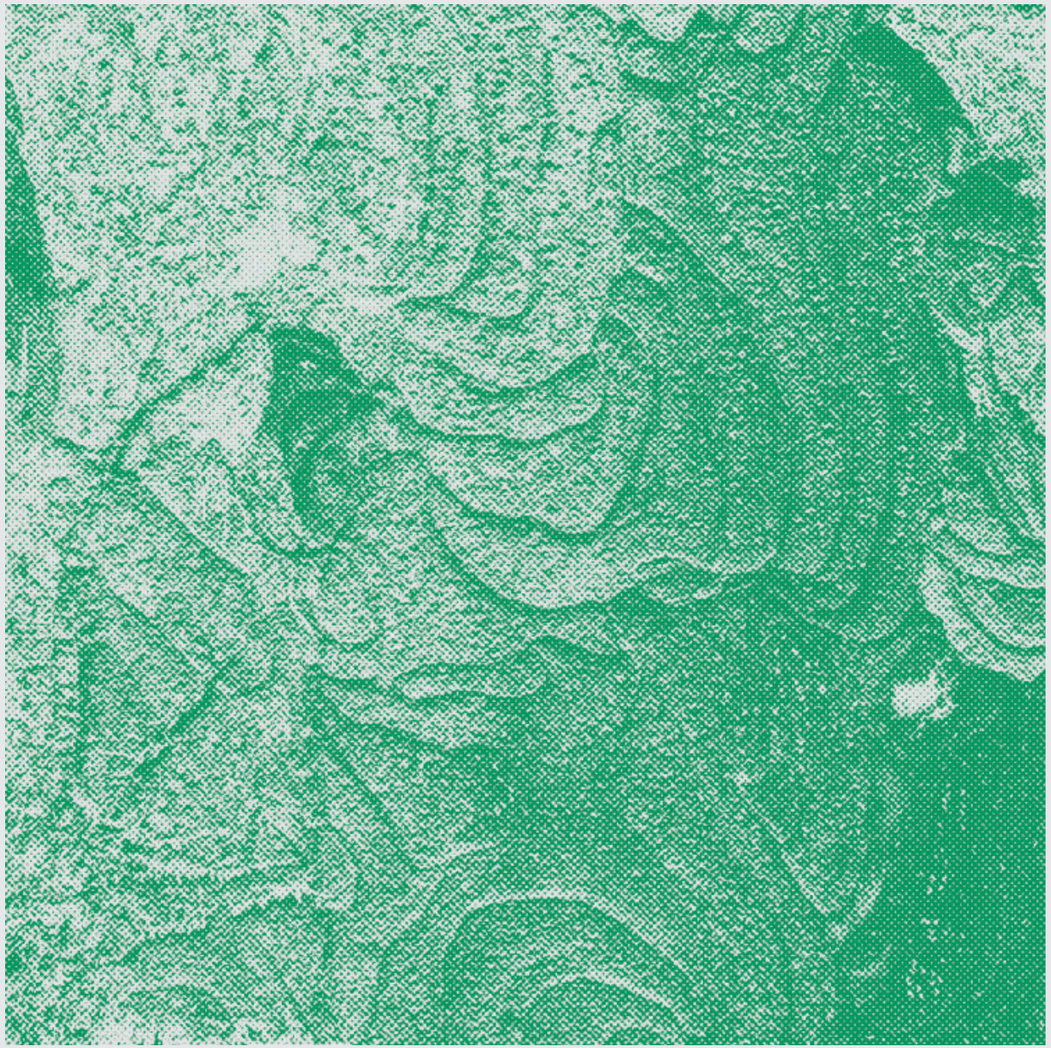
Ehara i te mea poka hou mai—nō Hawaiki mai anō



Above: Tree ferns in the Hunua Ranges
Image: Sophie Fisher

If something is too
small for division,
do not try to divide it

He iti kai mā te kotahi e kai, kia rangona ai te reka



Above: Kauri tree bark in the Hunua Ranges
Image: Sophie Fisher

107. 'Kennedy Point Marina' [2018] NZEnvC 81, paragraph 192. In that instance, the landscape assessors agreed that it was appropriate to assess effects at three nested scales.

108. 'Clearwater Mussels' [2018] NZEnvC 88, paragraph 171."...it is inherent that a person will perceive and respond to landscape values in a local setting in terms of the values they remember of that setting's wider context."

109. 'Clearwater Mussels' [2018] NZEnvC 088, paragraph 230. "A landscape should not be too finely sliced and diced in assessment terms." See also paragraph 175, "[Witness A] quite rightly noted that it is important 'that the scale of landscape must be credible and must not be diced up into too small components'. Conversely, as [Witness B] put it, stepping back too far results in the specific attributes associated with that landscape becoming a blur."

Difference between process and presentation

5.11 The assessment process differs from the presentation of information in a report or evidence.
- While the assessment process can be described as a sequence of steps, in practice it is often iterative and typically canvasses more information than is selected for inclusion in the report.
- Presentation, on the other hand, entails organising selected information in a logical structure.

5.12 Assessing landscape character and values entails both reductive and synthesising tasks:
- analysing the landscape to better understand its parts (reductive)
- interpreting how the parts come together—are integrated—as character and value (synthesising).

5.13 The process can be described as having the following steps although, as discussed above, in practice it is often non-linear:
- identify the relevant landscape (its extent and context)
- describe and analyse the attributes
- interpret how the attributes come together as the landscape's character
- evaluate and explain the landscape's values and the attributes on which the values depend.

5.14 The following paragraphs elaborate on these steps.

Identify the relevant landscape (its extent and context)

5.15 Identify the spatial extent of the relevant landscape. This is a key matter that has implications for what is deemed to be an area's character and values. Differences between assessments are sometimes down to the extent of landscape considered relevant.

5.16 Small landscapes nest within larger landscapes. As a guide to selecting the relevant spatial extent:
- take a practical approach having regard to the purpose of the assessment
- identify the spatial extent most relevant to the purpose of the assessment—but also outline that landscape's place in the wider context[107 108]
- consider each landscape as a whole[109]
- be mindful that landscapes can overlap and have blurred boundaries—often it is enough to identify the general extent rather than the precise delineation
- determine the spatial extent from each landscape's own character and attributes—the sense that you are in a particular landscape as opposed to another—it may be a hydrological catchment, a visual catchment, or a neighbourhood, for example, depending on the purpose of the assessment.

5.17 As with all matters of judgement, explain the reasons for the identified relevant landscape. This need not be complicated. It is generally obvious and straightforward.

Mapping landscape boundaries

5.18 For some purposes, the spatial extent of landscapes should be mapped. For example, it is important to delineate and map boundaries for area-based assessments such as identifying Outstanding Natural Features (ONFs) or Outstanding Natural Landscapes (ONLs), the coastal environment, and landscape character areas. In other instances (for example, most assessments of landscape effects), the spatial extent can be defined in general terms as described above without the need for precise mapping.

5.19 Mapping of boundaries should reflect the purpose of the assessment and be in response to landscape character and values. For instance, boundaries are likely to follow physical attributes such as topography, a ridge, contour, river, or highway; or significant change in land cover—especially when it relates to underlying conditions, for example a change in landform, soil type, or coastal exposure. While property boundaries may be appropriate for some purposes, they often do not follow the natural landscape. Boundaries are sometimes not obvious —they may be blurred transitions rather than a sharp demarcation. Remember that such boundaries are artificial constructs. Focus on the purpose for mapping, and on the landscape character and values, in deciding which landscape elements to settle on. Explain your rationale for the selection of boundaries.

5.20 Likewise, landscape assessors should treat mapped boundaries in a reasoned way. While boundaries are mapped as lines, they are often less sharp on the ground. Boundaries identified in a statutory plan may have been mapped at a large scale without precise ground-truthing. Landscape values and attributes can spill across boundaries in both directions. It is important, therefore, that assessors look beyond lines on maps to the actual landscape (see also paragraph 8.30 with respect to ONF/ONLs).

Describe and analyse the attributes (characteristics and qualities)

5.21 Describe and analyse the attributes, paying attention to each of the physical, associative, and perceptual dimensions and the range of typical factors described in Chapter 4.

5.22 Practitioners often conceptualise this task as a series of landscape layers, although there are thematic and other approaches. It may help to refer to factor lists such as those outlined at paragraph 4.29 but treat such lists as a memory aid and not as a way to structure your assessment. To put it another way, consider the list of factors but do not focus on factors that are not pertinent in your assessment report.

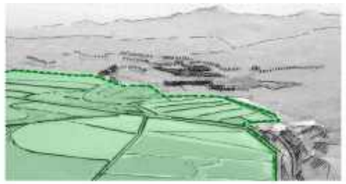


DIAGRAM ONE : LAND TYPING BOUNDARY APPROACH

Boundary follows edge of landform / land type. This mapping style would suit either the identification of Features or Landscapes.

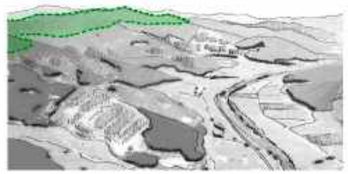


DIAGRAM TWO : CONTOUR LINE APPROACH

Boundary follows a specific or a number of specific contour lines. This mapping style would suit the identification of Features.

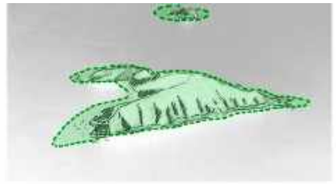


DIAGRAM THREE : CONTAINED LANDSCAPE FEATURES APPROACH

Boundary follows contained landscape features and allows where appropriate, for a curtilage, to include, in this example, the rocky shore line and outlying rocks. This mapping style would identify Features.

DIAGRAM FOUR : RIDGES AND SPURS APPROACH (VISUAL CATCHMENT)

Boundary follows ridgelines and spurs and can also be used to define the visual catchment. This mapping style would suit the identification of Landscapes. Features can nest within Landscapes.

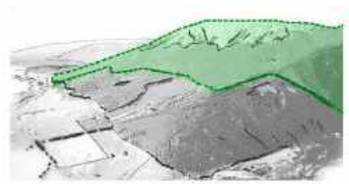


DIAGRAM FIVE : LAND USE APPROACH

Boundary follows Landuse patterns, such as the division between commercial forestry land and conservation land. This mapping style would suit the identification of Features.

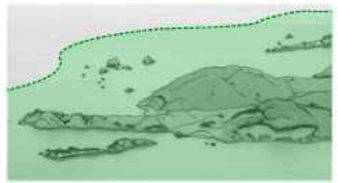


DIAGRAM SIX : SEASCAPE APPROACH

Whilst the land based ONFLs are mapped using approaches 1-5, the extent of seascape ONFLs have been determined predominately by the marine component of the coastal natural character study 2014. This captures the land/ sea interface, where information of marine based-values is generally the greatest. Refer to Appendix 6 of *Natural Character of the Marlborough Coast* [Boffa Miskell et al, 2014] for further explaination. Other landscape factors have also been considered in determining this mapping approach.

Above: Approaches to boundary delineation
Diagram: Boffa Miskell

5.23 Analysis entails site survey and desk-top research. It is a reductive phase to better understand the landscape components.
- Draw on information from a variety of sources such as other environmental disciplines, local histories, iwi documents, ecological databases, online community pages, landscape research...etc. Reference the sources. Note any gaps you think may be relevant.
- Take an historical perspective. Analyse how the attributes reflect the landscape's history and trajectory over time (see paragraph 4.35).

5.24 Sources of information that may be useful include:
- geological maps (Q Series) and incidental GNS and Geoscience Society publications
- geopreservation inventory—https://services.main.net.nz/geopreservation/
- significant natural area (SNA) reports
- soil maps
- Ecological District maps and reports
- land use capability database and maps
- iwi and hapū management plans, GIS/mapping databases, and atlases (e.g. www.kahurumanu.co.nz)
- archaeological studies and NZ Archaeological Association database
- Waitangi Tribunal Reports (e.g. Treaty settlement reports)
- Māori land online
- local histories
- local natural histories
- tourist information (how an area presents its sense of place, what it considers its key features)
- previous landscape studies
- background information in statutory and non-statutory documents such as regional policy statements and district plans, reserve and conservation management plans, DOC conservation strategies and national park management plans specialist reports from other disciplines (such as geomorphology, ecology, historic heritage, cultural values assessment, etc).

5.25 Visual matters are integral to landscape rather than a separate category. Physical, associative, and perceptual dimensions are each experienced visually (and through other senses). Assessing the 'physical landscape' and the 'visual environment' separately, for example, is less straightforward and integrated than simply treating them as aspects inherent in the landscape.

Interpret landscape character

5.26 The essential step, following analysis, is to interpret each landscape's character–how the parts come together as character. This step will synthesise the dimensions and explain how they interact. It requires both insight and clarity to see the landscape as an entity and the role the relevant attributes play. It cannot be done mechanistically but requires intelligent, creative, and critical interpretation.

5.27 It is essential that the physical, associative, and perceptual dimensions are integrated (synthesised). While teased apart for the sake of analysis, it is only when bound together that the dimensions make sense as landscape—that the landscape comes to life.

Evaluate landscape values (and valued attributes)

5.28 Character and value are different but interdependent. All landscapes have character and value.[110] Identifying each landscape's values is fundamental to its management. While evaluation can be conceived of as a subsequent step to characterisation,[111] values typically become apparent through the process of interpreting a landscape's character. Interpreting a landscape's character will point to its values and evaluating a landscape's values will point to the attributes on which those values depend. Interpreting character and values is therefore typically an iterative process.

5.29 The purpose of identifying landscape values is to maintain and improve such values.[112] But landscape values are managed through the physical attributes[113] that embody the values. It is important that the values are explained in terms of the physical attributes on which they depend. For example, the values of a settled valley enclosed by open pastoral hills may depend on avoiding buildings on skyline ridges. Conversely, the values of a of an incised landscape of bush-clad valleys may depend on building on the ridges and avoiding the valleys.[114]

5.30 Consider potential values as well as existing values. Such potential may entail enhancing landscape values or restoring areas that have been degraded. Potential values can be realised through design (see Chapter 7).

5.31 Criteria are sometimes used to evaluate landscapes. Such criteria should be consistent with the concept of 'landscape' as defined in Chapter 4. That is, the criteria should recognise landscape's physical, associative, and perceptual dimensions and reflect the fact that character and value arise from the interaction between the dimensions.[115]

5.32 However, criteria can be problematic. Values are specific to each landscape in its context. While desired outcomes are sometimes framed as generic criteria (such as the extent of naturalness, openness, or rural character), such matters are a generalisation of each landscape's specific character. Do not let a focus on generic parameters lead you to overlook each landscape's values that arise from its specific character and unique context. For example, district plans often have policies about maintaining rural character. Such character ranges from sheep-and-beef hill country, to orchards, cropping, dairying, and lifestyle landscapes. The specific attributes of

110. Even degraded landscapes have values that may benefit from restoration as discussed at paragraph 5.08.

111. The UK guidelines promote evaluation as a separate step following a description of character. Canadian heritage landscape practice promotes the opposite approach: first identifying value and then describing the attributes that support value (Refer to Tuia Pito Ora/NZILA, Review of Other Guidelines, December 2020, paragraph 2.74). Such reversibility highlights that character and value are interdependent and open to iterative analysis.

112. As discussed above at paragraph 5.10, contested values are often at the heart of landscape issues. Decisions may turn on whose values are to hold sway, or the relative weight given to different values. For example, wind farms may involve resolving tensions between values relating to aesthetics and renewable energy. Competing values are often expressed at hearings by parties with different interests. As discussed at paragraphs 2.23 –2.25, the role of a landscape assessor is to provide an impartial and integrated professional assessment to assist the decision-makers consider different perspectives. Competing values may also be resolved through design (see Chapter 7).

113. Managing landscape values through physical attributes is consistent with the approach of the RMA. The RMA's purpose is sustainable management of natural and physical resources. RMA Schedule 4 refers to "physical effects on a locality including any landscape and visual effects" as matters to be addressed by an assessment of environmental effects.

114. As discussed at paragraph 5.07, the values of all landscapes are important. Protecting only certain special landscapes (such as outstanding natural features and landscapes) is not sufficient to achieve the purpose of sustainable management.

115. A range of criteria already exist in statutory plans. As noted above, a competent landscape assessor will be able to contextualise and work with different criteria.

rural character, therefore, vary considerably, and will determine what may or may not be appropriate. Context is everything.

5.33 Be cautious with rating (scoring) individual attributes to evaluate landscapes for the following reasons:

- Conceptually, landscape is the interplay of dimensions—not the sum of their parts.
- Value is embodied in specific character and attributes, not the generic criteria/factors that typically make up a scoring framework.
- The relative significance of any criterion/factor depends on context.
- While in practice a high score for one dimension is often mirrored by high scores in the other dimensions (given that the physical, associative, and perceptual dimensions typically resonate with each other), such self-reinforcing tendencies do not always hold true and should not be misconstrued. It is possible for a landscape to have a single over-riding reason for its value.
- Some criteria/factors, particularly in more detailed schema, may be in opposition (for example, rarity vs representativeness, historic heritage vs naturalness).

5.34 It is more credible to treat landscape criteria as pointers than part of a mathematical formula. Ultimately, reasons and explanation in support of professional judgement are more important than prescribed criteria.

Present relevant, organised information

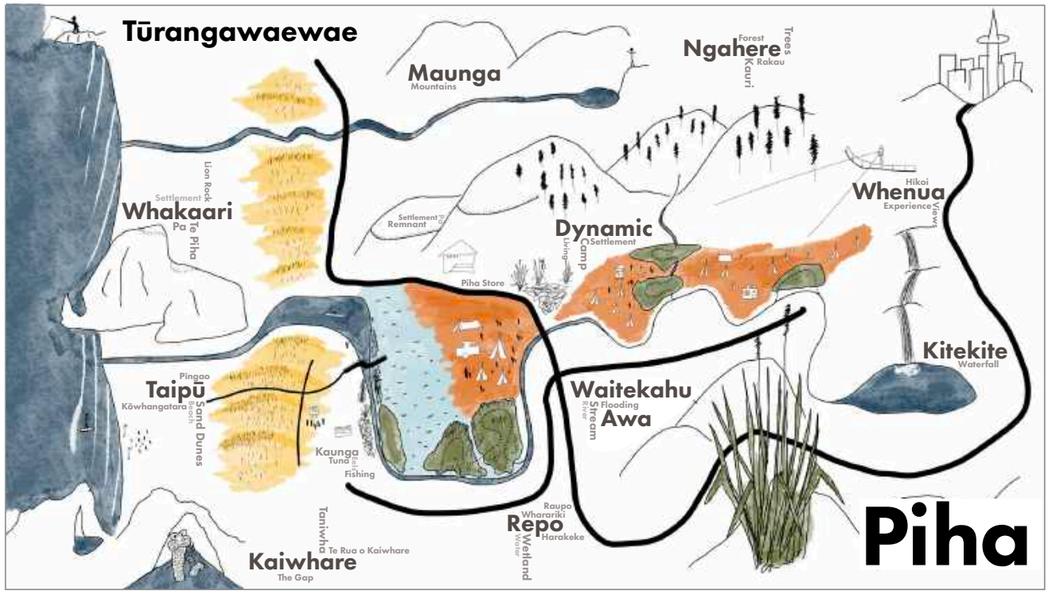
5.35 While the assessment process should be thorough, the presentation in a report or evidence[116] should be to-the-point and cover only what is relevant.[117] Tailor the format and limit the content to best address the resource management issues (refer paragraph 2.09).

5.36 An assessment process will canvass more information than is included in the report. It will never be possible to record everything there is to know about a landscape, nor would that be helpful. Rather, relevance is key. Report writing requires skilful selection and organisation of information. In making such selections, bear in mind that the purpose is to assist decision-makers. Their decisions about landscape matters are likely to turn on landscape values, attributes, and the means to manage them.

5.37 Be wary of templates and standard headings. They are likely to hinder the skilful selection and organisation of information needed to suit the specific landscape context and the relevant issues.

116. Presentation may comprise, for instance, a proposal-based assessment of landscape and visual effects, or a policy-based assessment of an area, or evidence to a hearing. In addition to tailoring the presentation to the subject matter, there are also particular presentation requirements for AEEs that are set out in the RMA Schedule 4, particular requirements for some policy-based assessments as set out in RMA s32, and requirements for Environment Court evidence that are set out in the Court's Practice Note 2014.

117. See paragraph 5.11.



—Molly Parker

'The landscape you grow up in speaks to you in a way that nowhere else does'

Above: Re-mapping Tūrangawaewae
Drawing: Zak Kelland

118. Landscape is a resource to be managed under the Resource Management Act. Landscape values are managed through the management of "natural and physical resources".

119. Landscape assessments for private plan change requests can sometimes have characteristics of both proposal-driven and policy-driven assessments. Such private plan changes may be requested to enable specific development of a certain site and may seek little change to plan provisions other than, for example, re-zoning the land. In those circumstances the landscape and visual effects assessment will resemble a proposal-driven assessment. Nevertheless, the focus will still be the anticipated outcomes of the proposed provisions (rather than the effects of a specific development per se), and the assessment should still be framed with regard to the requirements of RMA s32.

Tailor assessment to assessment types

5.38 Different types of assessment have different methods and report structures:

- **Proposal-driven assessments**, such as those for resource consent applications or notices of requirement, will be specific and targeted. The assessment of the existing landscape will focus on those landscape values (and attributes) potentially affected by the proposal, and the provisions in the statutory plan(s) relating to landscape values. The proposal, its site, and the relevant statutory provisions will all be known and definite.
- **Policy-driven assessments**, on the other hand, are more strategic. They are often commissioned by territorial authorities to help inform statutory plans and policy statements. Examples include area-based assessments to identify and manage the landscape resource of a region or district, and issue-based assessments to address a specific resource management matter (e.g. the capacity of an area to accommodate development while retaining rural character). While the existing landscape will be definite, such assessments anticipate the future. They anticipate future activities and recommend provisions to manage landscape values into the future.

5.39 Each of these reports will look quite different and follow different methods, but each will follow the same landscape concepts and assessment principles outlined in these Guidelines (see also paragraphs 6.34–6.36).[118] [119]

Above: Napier Landscape Study, Isthmus Group
Sketch: Sophie Fisher

Top: Tairua Harbour, Coromandel Peninsula. Middle: Mouth of Mokau River, Waikato.
Bottom: North of the Aldermen Islands, Coromandel Peninsula
Images: Rebecca Ryder

Above: Rock lichen
Image: Rachel de Lambert

Engaging with tāngata whenua when assessing landscapes

5.40 Effective engagement between landscape architect and tāngata whenua when describing and evaluating an area's landscapes can be a complex and sensitive process which depends, among other things, upon the following:

- Establish effective working relationships with tāngata whenua based on acknowledgement, respect, and understanding.
- Maintain long-term and on-going relationships with tāngata whenua. Consistency will engender confidence and increase the strength of such relationships. While such relationships typically rest with territorial authorities and public agencies in the first instance, it is desirable for landscape architects to also establish channels of communication with tāngata whenua in areas where they work.
- Provide for active participation in decision-making and management (for example through such mechanisms as co-design and co-management) in keeping with the articles and principles of the Treaty of Waitangi.
- Listen well.
- Be sufficiently aware to appreciate key landscape character components from a Te Ao Māori perspective.
- Ensure that tāngata whenua are appropriately resourced to respond effectively to engagement processes.
- Undertake background work (doing the mahi kāinga (homework)) before engaging. For example, review relevant iwi management plans and other information that is in the public domain.

5.41 A landscape architect would not normally speak for tāngata whenua unless delegated to do so. For example, they may have whakapapa and be granted the authority by tāngata whenua with respect to that whenua. However, while it is the prerogative of tāngata whenua to interpret their relationship to landscape, landscape assessors should acknowledge tāngata whenua perspectives and endeavour to integrate such information into a landscape assessment. There are several ways of finding out relevant information and weaving it into an assessment, including:

- direct engagement with tāngata whenua[120]
- cultural impact assessments (CIA) or cultural landscape assessments (CLA)
- iwi management plans
- reports of the Waitangi Tribunal[121]
- statutory acknowledgements made as part of Waitangi Tribunal settlements[122]
- district plans
- general publications
- internet searches including marae websites which often contain hapū background.

120. A potential pitfall is to rely solely on documentary research at the expense of engagement with tāngata whenua. Engagement is more important.

121. https://waitangitribunal.govt.nz/publications-and-resources/waitangi-tribunal-reports/

122. Statutory acknowledgements are recognition by the Crown of the mana of tāngata whenua over specified areas. Statements of statutory acknowledgements are set out in Treaty of Waitangi settlement legislation. Such 'statutory areas' relate only to Crown land. They are often recorded by regional and district councils in policy statements and district plans or on council websites.

123. Don't let perfect get in the way of better. The principles outlined in these Guidelines are subject to situation and context. In some situations, information may not be available, or full engagement may not be warranted or achievable. Engagement on the part of tāngata whenua may not be possible, for example, because of unwillingness or lack of capacity to engage within the timeframe. Adjust your method to suit. Do not let the lack of full engagement get in the way of making progress in the meantime. Do the best with what is achievable and be transparent about any assumptions or gaps.

5.42 Landscape architects should alert clients where and when they should engage with tāngata whenua to properly address landscape matters. A proper process should be followed in establishing such dialogue. For instance, territorial authorities and Crown entities have established relationships with tāngata whenua groups that often provide a channel to establish dialogue between an applicant and tāngata whenua. A landscape architect would generally establish dialogue through the client and territorial authority—unless they already have established relationships.

5.43 Some landscape architects lack the skills and experience to engage effectively with tāngata whenua or may consider it outside their area of expertise. Some clients and local authorities may also think that landscape and tāngata whenua matters are to be treated separately. In such situations, the best compromise may be to draw on CIA or other published documents. However, such siloed approaches can lead to tāngata whenua landscape perspectives being limited to the associative dimension, overlooking the integration of physical, associative, and perceptual dimensions in a holistic manner (see paragraph 4.15). It can lead to erosion of trust between tāngata whenua and others involved in resource management. An integrated approach and on-going relations are aspects of good practice that help to build trust.

5.44 By way of further explanation:
- A cultural landscape assessment (i.e. in a CIA or separate CLA/CVA) and an independent professional landscape assessment are separate but complementary.
- Information derived from a CIA/CLA and other sources can be incorporated in a professional landscape assessment to the extent that it contributes to a general understanding and appreciation of a landscape.
- The absence of a CIA/CLA does not mean tāngata whenua aspects should be ignored when relevant to a landscape assessment. There are other means of finding information discussed above. You (or your client) could also engage a pūkenga endorsed by tāngata whenua to contribute to a landscape assessment.

5.45 While it is for tāngata whenua to describe their cultural values, perspectives, and associations with respect to their whenua, a landscape architect should weave such matters—as far as they are known—into a broad understanding and appreciation of a landscape. Identify gaps where information cannot be obtained. As a guide, it is useful to remember that a landscape architect's role in this context is to assist decision-makers within your landscape expertise, not as an expert in tāngata whenua matters (unless you are).[123]

5.46 Remember, tāngata whenua landscape perspectives are not limited to the associative dimension but entail the interplay of physical, associative and perceptual dimensions in an holistic manner (see paragraph 4.15), and in the context of mātauranga and Te Ao Māori concepts relevant to landscape discussed earlier (e.g. whakapapa, kaitiakitanga, wairua and mauri).

Above: Waterview, Tāmaki Makaurau
Image: Sarah Collins

Above: Charming Creek, West Coast
Sketch: Emma McRae

Additional Notes

5.47 The following notes elaborate on certain aspects of landscape assessment.

Analytical and integrative approaches (reduction and synthesis)

5.48 The importance of combining analytical and integrative approaches was described in a recent Environment Court decision.

> *[112] In reviewing the relevant case law on the interpretation and application of s 6(b) RMA, one may discern some tension between two apparent approaches: a relatively schematic approach of using the list of Pigeon Bay/Wakatipu [WESI] or Maniototo [Lammermoor] factors as quasi-criteria; and a more generalised approach of seeing those factors in the round and then standing back to form an overall judgment on the evidence.*
>
> *[113] We think that the tension may be reduced, if not fully resolved, by observing that both approaches are part of the whole exercise required by s6(b). Even in the cases which are based squarely on a list of factors, there is ample guidance to bring the overall context back to the forefront of the decision-making process. This is assisted by identifying a conceptual framework common to the more recent cases (although sometimes expressed in slightly different terms) which gathers the list of factors into the broad areas of:*
>
> *(a) The natural and physical resources of the landscape (including the scientific understanding of those resources);*
> *(b) How the attributes of those resources and their values can be perceived (including aesthetic assessment of those attributes and values); and*
> *(c) The associations that people and communities make with and among the resources and their attributes and values (including those associations based on their social, economic, aesthetic, and cultural conditions).*
>
> *[114] This grouping might be described as the dimensions of the assessment of features and landscapes. It may help both the analyst and the decision-maker always to remain aware that by describing these groupings as dimensions it is necessary to regard them all as essential to a full understanding of landscape. Analysis of a thing which is limited to fewer than the full set of dimensions of that thing will lead to the cognitive errors or biases that have been warned of since at least Plato's allegory of the cave.*[124]

124. 'Matakana Island (1st Interim Decision)' [2017] NZEnvC 147, paragraphs 112–114.

Specific vs generic attributes (sensitivity and capacity)

5.49 'Sensitivity' and 'capacity' are widely used generic parameters. Such parameters can be useful where future proposals are not yet known (e.g. for issue-based assessments). In those circumstances, 'sensitivity' means the susceptibility of a landscape's values to the potential effects of certain types of activity—for example, the susceptibility of an area's rural character to life-style development. 'Capacity' is an estimate of how much of that activity could be accommodated while still retaining the specified values. 'Vulnerability' and 'resilience' are related parameters. The following caveats apply to the use of such generic parameters:

- Sensitivity and capacity (and other such generic parameters) derive from a landscape's specific attributes (the generic depends on the specific) and relate to a certain type of activity (a landscape is sensitive to something). It is meaningless to simply state that a landscape has a certain degree of sensitivity without explaining the context.[125]
- The reasons are key when assessing such parameters. For example, a landscape may be sensitive to lifestyle development (say) because it has certain wildlife values, or because it is the backdrop to a scenic location, or because it is adjacent to an historical place or wāhi tapu that warrants a contemplative setting. It is essential to provide the reasons.
- Generic attributes such as sensitivity and capacity are necessarily imprecise because they estimate a future. They can be useful and necessary in policy-based assessments, or in comparing alternative routes/localities, but they become redundant once the actual effects of a specific proposal can be assessed directly (see paragraphs 6.43–6.44).

Landscape, landscape character area, landscape type, feature

5.50 A landscape is the primary unit (single and complete) for landscape assessment. Small landscapes nest within larger landscapes. Identify the landscape at the scale (i.e. spatial extent) most appropriate to the purpose of the assessment.[126] The following terms are also useful:

- 'Landscape character areas'[127] are areas with a common character. The term can be applied to large areas containing many landscapes with a common character (e.g. the South Island high country) or to areas of distinct character within a landscape (e.g. a village within a rural landscape).[128]
- A landscape type is a kind or class of landscape sharing certain generic characteristics.[129] While a type may describe a specific set of landscapes in an area (e.g. the South Island high country could also be described as a landscape type), it may refer to a more general kind or class (e.g. karst landscapes, urban landscapes). A typological approach can also be applied to landscape elements, such as hillslope, terrace, scarp.
- Regional landscape character assessments sometimes adopt a hierarchical model with specific landscape character areas nesting within generic landscape character types (a species-genus kind of approach).

5.51 Land typing, on the other hand, is a specific approach to assessing areas based on biophysical elements and processes.[130] The approach includes assessing the interaction between land systems and their component landform elements, bioclimatic zones, ecological districts as indicated by historical indigenous vegetation, and ecological units. It includes assessing current land use and condition and recommending landscape management.

5.52 A feature is a discrete and distinct element (hill, river, island, rock, headland, wharf, building, park, street). While normally part of a landscape, a feature may be large enough to encompass several landscapes (e.g. a large island such as Waiheke) or long enough to traverse different landscapes (e.g. a river, highway). The essence of a feature is not so much its size, as its singularity and distinctness.

Dimension, attribute, parameter, characteristic, qualities, factor, criteria, values

5.53 For clarity, the following compares terms used in these Guidelines to describe landscapes.

- Dimension describes the three main types of attributes (i.e. physical, associative, and perceptual) that comprise landscape character.
- Attribute refers to both a landscape's tangible characteristics and its intangible qualities.
- Parameter is a derived factor that can be measured or quantified.
- Characteristic is a tangible attribute of a landscape that contributes to its distinct character.[131]
- Qualities are intangible attributes (e.g. bleakness, intimacy). The phrase "characteristics and qualities" as used in such documents as the NZCPS, therefore, can be interpreted to mean 'attributes', as defined above.[132]
- Factor is a type of attribute used in assessing (describing and evaluating) a landscape. Factors are sometimes listed as checklists. Each factor may have a criterion against which it can be evaluated.
- Criteria are principles or standards against which attributes or factors can be evaluated.
- Values[133] means the reasons a landscape is valued, embodied in certain attributes.

"Quality of the environment" and "amenity values"[134]

5.54 Section 7(f) of the RMA requires decision-makers to have regard to "the maintenance and enhancement of the quality of the environment". Section 2 of the Act defines environment[135] to include:

125. 'Sensitivity' might be used in circumstances where the thing to which the landscape is sensitive is known. For example, the relative sensitivity of different landscapes to a highway might be used in the route selection process.

126. See paragraphs 5.15–5.17 with respect to landscape scale.

127. 'Landscape characterisation' means describing and interpreting landscape character, sometimes to identify landscape character areas.

128. Like 'landscape character area', 'landscape unit' has been used variously to mean parts of a landscape, or groups of landscapes, and sometimes simply as jargon for a 'landscape'. See 'Parkins Bay' [2010], NZEnvC 432, paragraph 52. "At a district level smaller landscapes may nest within larger landscapes. But there comes a point where that no longer applies. Care needs to be taken by local authorities not to divide a landscape into units...and then to treat units as landscapes." See also 'Port Gore' [2012] NZEnvC 72, paragraph 83.

129. 'Project Hayes', [2009], NZEnvC C103, paragraph 267, "A unit is usually seen as part of a whole, and a landscape unit is thus a part of a landscape. [...] A 'type' on the other hand is 'a class of things...having common characteristics'. In our view any landscape type includes a set of landscapes and each of those in turn includes a set of landscape units (and/or features)."

130. See, for example, Simon Swaffield and Di Lucas, A land systems approach: Bay of Plenty, Landscape Review 1999:5 (1), pages 38–41.

131. We have adopted the term 'attribute' rather than 'characteristic', to describe the things making up character because characteristic is often taken to mean only the tangible aspects of a landscape. Character, as defined in these Guidelines, includes both tangible and intangible aspects. The phrase 'characteristics and qualities' is sometimes used to refer to tangible and intangible aspects. 'Qualities' is sometimes conflated with 'values'. We consider a quality is an intangible aspect, for example bleakness or intimacy, whereas a value is a reason a landscape is valued.

132. Qualities in this context can be positive or negative. Dullness and ugliness, for example, are qualities. The meaning is different from that of 'quality' as a measure of positive attributes such as in s7(f) RMA "maintenance and enhancement of the quality of the environment".

133. Landscape values are not to be anthropomorphised or conflated with people's moral values. They are quite different.

134. This section will become redundant with the passing of the replacement resource management legislation anticipated in 2023. While the future provisions are not known, the consultation draft of the Natural and Built Environments Bill does not include an equivalent to either s7(c) or 7(f). The draft does state that the purpose of the Act is to enable (a) Te Oranga o te Taiao to be upheld, including by protecting and enhancing the natural environment; and (b) people and communities to use the environment in a way that supports the well-being of present generations without compromising the well-being of future generations. To achieve the purpose of the Act "(a) use of the environment must comply with environmental limits, (b) outcomes for the benefit of the environment must be promoted, and (c) any adverse effects on the environment of its use must be avoided, remedied, or mitigated." 'Environment' is defined as meaning, "as the context requires, (a) the natural environment: (b) people and communities and the built environment they create: (c) the social, economic, and cultural conditions that affect the matters stated in paragraphs (a) and (b) or that are affected by those matters." While there is no equivalent s7(c) or 7(f), the consultation draft sets out a new section 8 that addresses environmental outcomes to be promoted, several of which use phrases such as "protected, restored, or improved".

135. Some overseas guidelines refer to landscape as a function of environment and people ('people turn environment into landscape'). The RMA definition of environment (and the definition in the consultation draft of the proposed NBE Act discussed above) includes people and social, economic, and cultural influences. In an RMA context landscape can be conceptualised as a subset of 'environment'. Item (d) of the RMA definition is almost a definition of landscape.

136. Final Report and Decision of the Board of Inquiry, New Zealand King Salmon Requests for Plan Changes and Applications for Resource Consents', 2013, paragraph 596, "Landscape does not require precision definition. It is an aspect of the environment and includes natural and physical features and social and cultural attributes."

137. Similarly, the term 'special amenity landscapes' is sometimes used for landscapes that have certain special landscape values. The simpler terms 'special landscapes' or 'significant landscapes' provides scope for broader landscape values than those limited to amenity values. As noted the consultation draft of the proposed Natural and Built Environments Bill does not include a provision for amenity values.

(a) ecosystems and their constituent parts, including people and communities; and
(b) all natural and physical resources; and
(c) amenity values; and
(d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.

5.55 Section 7(c) of the RMA requires decision-makers to have regard to "the maintenance and enhancement of amenity values". Section 2 of the Act defines amenity values as:

> *...those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.*

5.56 These two sections of the RMA, and their elaboration in the lower order statutory documents such as district plans, provide the framework for most landscape assessment. Landscape is relevant to both the quality of the environment and amenity values. The concept of landscape outlined in these Guidelines (i.e. the relationship of people with its physical, associative, and perceptual dimensions) mirrors the approach taken in the RMA in the definitions of 'environment' and 'amenity values'.[136]

5.57 Sections 7(c) and 7(f) refer to maintenance and enhancement. The RMA provides for positive effects and environmental enhancement, including restoration and rehabilitation, which can be overlooked in focusing on avoiding, remedying, and mitigating adverse effects.

5.58 Hybrid terms such as 'visual amenity', 'rural amenity', and 'natural amenity', are shorthand for 'landscape values that contribute to amenity values'. While such shorthand is widely understood and occurs in some statutory plans, a pitfall is the potential to overlook the whole landscape by jumping to certain aspects. A sound approach is to identify landscape values first, and then explain how such landscape values contribute to amenity values and the quality of the environment. Remember too, that "environment" includes amenity values as a subset. "Quality of the environment" covers a broader range of matters in a more integrated way. Aspects of the landscape can be overlooked by focusing too early on amenity values.[137]

—Gabriel Garcia Marquez, One Hundred Years of Solitude

'The world was so recent that many things lacked names, and in order to indicate them it was necessary to point.'

Above: Napier Landscape Study, Isthmus Group
Sketch: Sophie Fisher

Above: Elstow and Kopuatai Peat Dome, Hauraki Plains, Waikato
Image: Rebecca Ryder

A problem is solved by continuing to search for solutions

I orea te tuatara ka patu ki waho

Whakarāpopototanga

Summary

To assess a landscape is to describe its character and values.

Landscape character includes:
— the tangible and intangible attributes, and
— the attributes in combination (as a whole), and
— especially the combination that makes an area or place distinct.

Assessing landscape character involves analysing the attributes and interpreting how they combine as character.

Values are the reasons a landscape is valued (e.g. why it is special, or meaningful, or healthy). Values are embodied in physical attributes: values are managed by managing those physical attributes.

Assessing character and values is iterative. Interpreting a landscape's character will point to its values and evaluating the landscape's values will point to the attributes on which those values depend.

Tāngata whenua perspectives are integral to Aotearoa's landscapes. Accessing such perspectives depends on active and effective engagement.

The assessment process should be thorough and canvass information widely. Presentation of information in a report or evidence, on the other hand, should be to the point: it should comprise skilfully selected and organised material relevant to the purpose, context, and issues.

All landscapes have values. Values include potential values. Even degraded landscapes have potential for their values to be restored.

Whakamana te Whenua 06

Landscape Effects

What is a landscape effect?

6.01 A landscape effect is an outcome for a landscape value.

6.02 While effects are consequences of changes to the physical environment, they are the outcomes for a landscape's values that are derived from each of its physical, associative, and perceptual dimensions.

6.03 Change itself is not an effect: landscapes change constantly. It is the implications of change for a landscape's values that is the effect.[138]

6.04 To assess effects it is therefore necessary to first identify the landscape's values—and the physical characteristics that embody those values.[139] There is a direct link between assessing landscape character and values (Chapter 5), assessing landscape effects (Chapter 6), and managing such effects (Chapter 7).

6.05 Positive effects are effects. While there is a tendency to focus on adverse effects, it is important to also identify and pursue positive effects.[140]

6.06 Effects on landscape values are assessed against the existing environment and the relevant statutory provisions. Provisions often anticipate change and certain outcomes for landscape values.

6.07 Assessing landscape effects entails professional judgment based on expertise and experience. As with all professional assessment, provide explanation and reasons.

Visual effects are a subset of landscape effects

6.08 A visual effect is a kind of landscape effect. It is a consequence for landscape values as experienced in views. Visual effects are a subset of landscape effects. A visual assessment is one method to help understand landscape effects.

6.09 These Guidelines take a different approach from that taken in some other guidelines which treat landscape and visual effects separately.[141] Some approaches, for instance, confine landscape effects to physical landscape character (landform, streams, vegetation, buildings etc) and visual effects to visibility and amenity of views. Such approaches treat each of landscape and visual matters narrowly. These Guidelines promote an integrated approach for the following reasons:

- Landscape values arise from the combination of physical, associative, and perceptual dimensions. To restrict consideration of effects to just the physical dimension would be inconsistent with the definition of 'landscape'. Rather, effects on landscape values should consider not only the physical environment but also its associated meanings and how it is perceived through all the senses.
- Visual values are inherently linked to landscape values. The nature of a view depends on how it is perceived and the extent to which it is valued or not. It includes how the landscape in the view is

138. See 'Centre Hill Wind Farm' [2013] NZEnvC 59/13, paragraph 140, "In our view the degree of change to a landscape is a factor to be taken into account...The degree to which that change has occurred (a matter for the Court to assess), may or may not result in a finding that the effect is adverse, depending on the facts of the case".

139. Another way of putting it is the characteristics and qualities that contribute to the landscape's values. See 'Blueskin Energy' [2017] NZEnvC 150/17 paragraph 199.

140. Section 3 of the RMA defines the meaning of 'effect' by describing types of effects as follows: "In this Act, unless the context otherwise requires, the term effect includes—(a) Any positive or adverse effect; and (b) any temporary or permanent effect; and (c) any past, present, or future effect; and (d) any cumulative effect which arises over time or in combination with other effects—regardless of the scale, intensity, duration, or frequency of the effect, and also includes—(e) any potential effect of high probability; and (f) any potential effect of low probability which has a high potential impact." The consultation draft of the proposed Natural and Built Environments Act does not include an equivalent description of effect.

141. A reason that landscape and visual effects are sometimes treated separately in NZ and elsewhere is that professional practice historically combined separate methods based on physical character derived from the UK landscape character assessment (LCA) approach and on visual parameters derived from the USA visual resource management (VRM) approach.

understood, interpreted, and what is associated with it. Visual effects arise from changes to such landscape values. For example, visual effects may arise from changes to a view's aesthetic qualities, or the expression in the view of the landscape's biophysical wellbeing, or whether a meaning associated with a landscape is strengthened or diminished in the view. A pitfall is to superficially treat visual effects as mere visibility or changes to a view rather than the implications for the landscape values experienced in the view.
— Treating landscape and visual effects separately and narrowly means things can fall through the cracks. Associative matters, for example, can be overlooked as not part of either physical or visual effects.

When is an assessment of landscape effects required?

6.10 Assessments of landscape and visual effects are carried out as part of an Assessment of Environmental Effects (AEE) for resource consent applications and notices of requirement (i.e. proposal-driven). Landscape and visual effects are a matter to be considered for every application, and an assessment should be included with the AEE where there are likely to be any landscape and visual effects.[142] But assessments should be in a form that corresponds with the scale and significance of such effects.[143] An assessment could be a simple memo if there are likely to be no landscape effects of any note. On the other hand, the assessment should be comprehensive if there are potentially significant adverse effects.[144]

6.11 Policy-driven assessments (such as area or issue-based assessments) are different in that they typically require landscape assessors to anticipate (or estimate) effects on landscape values that may arise from potential activities that may occur in the future. While such assessments are more general and abstract, and the report format different, the principles described below apply across all types of landscape effect assessment.

Assessing landscape effects

What are effects assessed against?

6.12 Landscape effects are assessed against
— The landscape values (embodied in certain attributes); and
— The relevant provisions (what the objectives and policies say with respect to landscape values, what type and magnitude of development or change in the landscape is anticipated).[145]

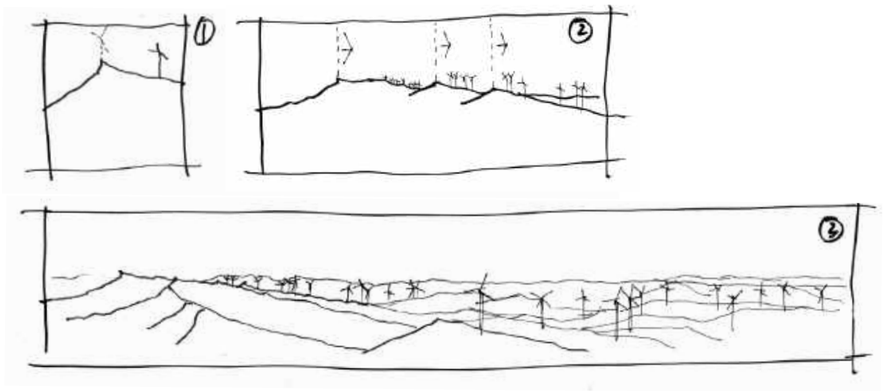
6.13 It can help clarity—for both assessor and reader—to list the issues ahead of the assessment of effects. The issues are the likely potential effects with respect to the landscape values and relevant provisions: it is not uncommon to refine the issues in an iterative way as you carry out the assessment.

142. Such an approach is consistent with the RMA Schedule 4, 7(1)(b) which requires AEEs to address "any physical effect on the locality, including any landscape and visual effects." Even if there are likely to be no relevant landscape and visual effects, it is good practice for an AEE to say so. While effects that are likely to be negligible may be ignored, all other effects (minor or above) are to be considered. See 'Upland Landscape Protection Society' [2008] NZEnvC C85, paragraph 94. "The Court is of course entitled to disregard effects that might be described as minimal (or de minimis) but it must properly have regard to all other effects. Case law clearly establishes that activities with very significant effects may be granted consents, while others without such particular effects may be refused consent. The scale of the effect is clearly a matter which will go into the evaluation necessary under Part 2 of the Act but is not determinative of it. Any effects which are more than minimal must be had regard to in the overall evaluation..."

143. Consistent with RMA Schedule 4 (2)(3)(c).

144. Even a simple memo should provide reasons. For instance, 'Any adverse landscape and visual effects will be negligible for the following reasons: ...'

145. The matters decision-makers must have regard to when considering resource consent applications are set out in s104 of the RMA and comprise the effects (including positive effects to offset/compensate for adverse effects), relevant provisions, and any other relevant matters—all subject to Part 2 of the Act. The matters for Notices of Requirement are set out in s171.



Above: Proposed Waitahora Wind Farm, Puketoi Range, Wairarapa
Photo simulation and sketch: Isthmus Group

The mokoroa (grub) may be small, but it cuts through the kahikatea

He iti te mokoroa, nāna i kati te kahikatea

Stockton Open Cast Coal Mine, West Coast
Image: Emma McRae

146. For resource consents, s104 (1)(b) and (c) RMA. For Notices of Requirement, s171 (1)(a) and (d) RMA.

6.14 An assessment of the existing landscape character and values (see Chapter 5) is therefore an essential part of an assessment of landscape effects. It is important, though, that such assessment of the existing landscape is tailored to purpose: that it focuses on the landscape values/attributes relevant to the issues. For example, the sub-headings of the 'existing landscape' section should reflect the issues and the pertinent landscape values and not follow a template of standard sub-headings. For this reason, the 'existing landscape' section may be revised as the effects are assessed. The description should provide context but it should not labour irrelevant details. The test is whether the information will assist decision-makers (and others).

6.15 Effects are to be assessed at the relevant spatial context (see paragraphs 5.15–5.17). Beware of understatement by diluting effects across an unreasonably wide area or overstatement by concentrating on an unreasonably narrow context. You may, though, measure different types of effect at different scales. For example, a high-rise building may have an effect on the city skyline over a wide area, while its streetscape effects may be confined to a block or two.

6.16 Effects are also to be assessed in the context of the relevant statutory provisions and any other matters.[146] Review the provisions before starting an assessment. The purpose for reviewing the provisions is not to undertake a planning assessment. It is to frame the landscape assessment in a way that best assists the decision-maker and others. For instance, if a policy is to maintain rural character, the landscape assessor should reach a professional opinion (with reasons) on whether the proposal achieves that outcome in landscape terms, but leave the assessment of the proposal against the relevant statutory provisions to the planner.

Describe both the nature and magnitude of effects

6.17 Describe both the nature and magnitude (degree, level) of effect.

6.18 Describe the nature of effect in terms of specific values and attributes. For example:

- reduction in rural character values because of development that is out-of-keeping with typical rural activities, relative presence of buildings to open space, coherence with natural topography etc.
- enhancement of natural values because of stream bank revegetation connecting areas of natural vegetation, fencing and pest control
- reduction in an area's natural wilderness values because of intrusion of human activity and structures
- maintenance of an urban area's amenity values because of coherent building height, bulk, grain, appearance, typology etc.
- enhancement of a cultural landscape's values because physical access and sightlines between related sites are protected.

6.19 Values often arise from the interplay of physical, associative, and perceptual attributes. Effects should therefore be interpreted in the same way. Sub-headings in the section of an assessment addressing effects should reflect the relevant landscape values and issues.

6.20 Describe the magnitude of effect against the 7-point scale discussed below in paragraph 6.21. A rating of magnitude is merely a descriptor that helps understand the effect. The primary matter is the nature of the effect. Magnitude is not the effect. While there is a temptation to 'home in' on magnitude because it is quantifiable, magnitude on its own is meaningless. Rather, first explain the nature of the effect, then your assessment of its magnitude, and then give the reasons. For example, 'a moderate reduction in the quality of the streetscape because ...' or 'a mod-high effect on the integrity of natural processes for the following reasons...'

6.21 Use the following 7-point scale as a universal scale to describe the magnitude of such qualitative assessments.

147. The UK GLVIA guidelines recommend "ideally three or four, but a maximum of five categories" and the use of word rather than numerical scales (GLVIA op cit., section 3.27, page 38). It suggests, for instance, "major/moderate/minor/negligible". See the reference at paragraph 6.22 to observations in one of the Matakana Island decisions that people are likely to be able to understand a simple low, medium, high scale and combinations and qualifications of those terms.

148. 'Matakana Island' [2019] NZEnvC 110, paragraph 25

149. For example, a widely used scale of landscape/visual effects defines low as "a slight loss to the existing character, features or landscape quality", moderate as "partial change to the existing character or distinctive features of the landscape and a small reduction in the perceived amenity", and high as "noticeable change to the existing character or distinctive features of the landscape or reduction in the perceived amenity or the addition of new but uncharacteristic features and elements." Auckland Council, Information Requirements for the Assessment of Landscape and Visual Effects, page 6

It is an appropriate scale for the following reasons:

- it is symmetrical around 'moderate'
- it has even gradations
- it uses neutral terms so does not confuse rating and qualitative aspects
- the scale is suitable for both positive and adverse effects, and for other purposes such as landscape value and natural character—it can be used in a universal manner
- the seven points provide for nuance of ranking while being near the practical limit of reliable distinctions
- for those who struggle with seven points, the scale can be envisaged as three simpler categories (low, moderate, high) with finer steps above, below, and in-between.[147]

6.22 The practical application of the 7-point scale, with caveats against placing too much weight on such rating in isolation, and the importance of the substantive assessment, is summarised in the following decision extract:

> *We think that [people] are likely to be able to understand qualitative assessment of low, medium and high, and combinations or qualifications of those terms without the need for explanation. We do not consider rating of that kind to constitute a fully systematic evaluation system in a field as complex as landscape: in this context, the system depends far more on the substantive content of the assessment, especially the identification of attributes and values, than on the fairly basic relativities of low-medium-high...* [148]

6.23 Descriptors are sometimes used to define each of the scale gradations.[149] While in theory they promise to be of assistance, in practice such descriptors have the following pitfalls:

- They are typically either too specific to respond to the complexity of landscape factors and the variety of contexts, or are so general as to become circular (e.g. a low effect is a slight loss).
- They can themselves become de facto criteria that distract from, or replace, the assessment of specific effects. The descriptors can be misconstrued as the effect.
- They can encourage an over-reliance on a magnitude scale rather than the substantive assessment of the nature and degree of effect. As suggested above at 6.22, it is better to rely on a simple rating scale that most people can understand without the need for further explanation.

6.24 In any event, such descriptors do not replace the need to describe the specific nature of the effect, rate its magnitude, and explain the reasons.

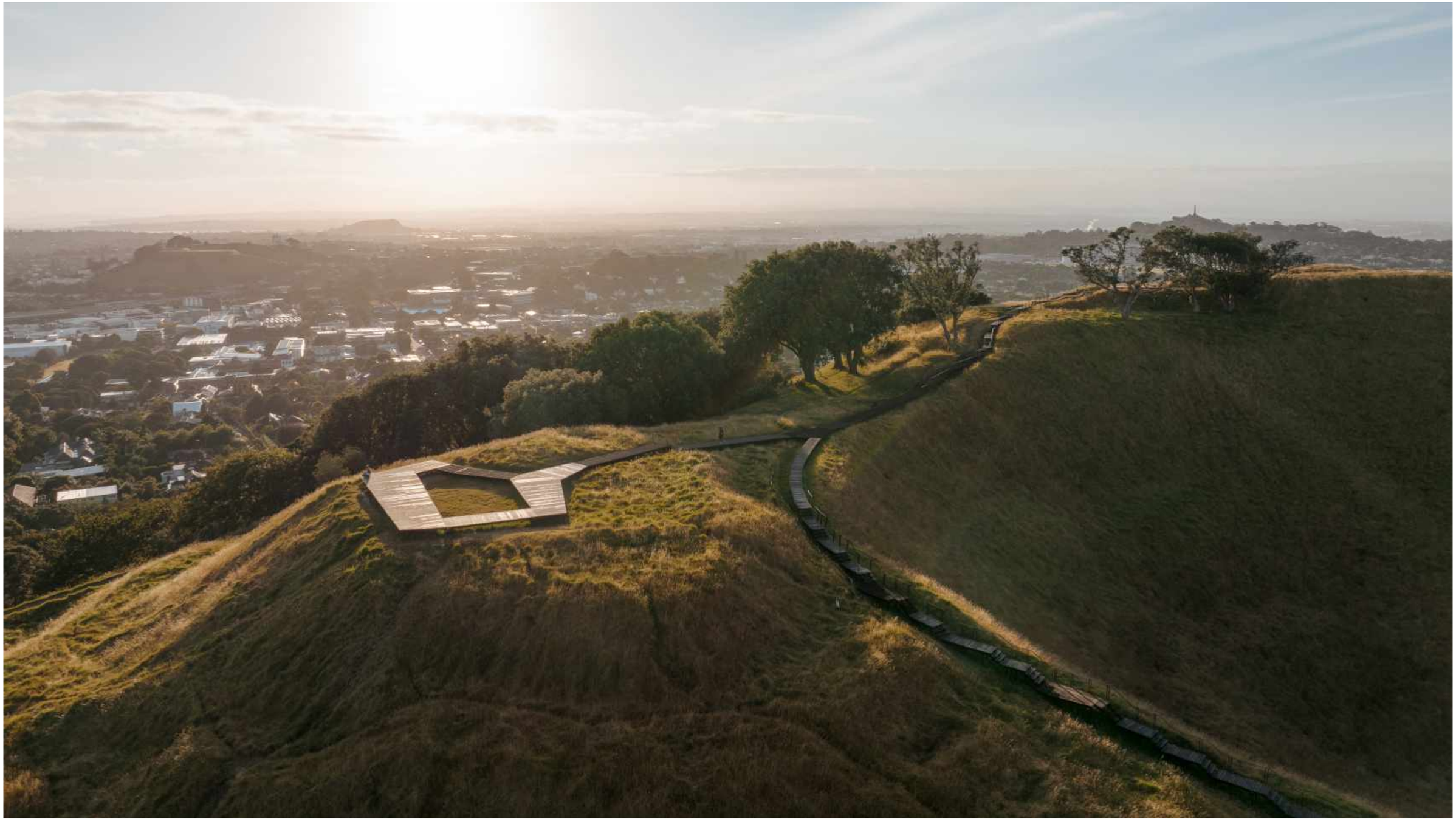
Visual effects

6.25 Visual effects are effects on landscape values as experienced in views. They contribute to our understanding of landscape effects. They are a subset of landscape effects.

6.26 The common technique for assessing the visual effects of a proposal is to:
- identify the ‘visual catchment’ (where it will be seen from)
- identify the ‘audiences’ (who will see it)
- describe the effects on landscape values from certain viewpoints (e.g. representative public views or affected private properties).

6.27 The nature and degree of effect is assessed, in the same manner as other landscape effects, from each viewpoint. The nature of the effect will be assessed with respect to landscape character and values, and the degree will be influenced by visual parameters.
- For example, a proposal that is in keeping with the landscape values may have no adverse visual effects even if it is a large change to the view. Conversely, a proposal that is completely out of place with landscape values may have adverse effects even if only occupying a small portion of the view.
- Visual parameters include distance, orientation of the view with respect to the proposal, extent of view occupied, screening, backdrop, perspective depth (the depth and complexity of foreground and middle-ground layers), and type of view.

Above: Mt Taranaki
Image: Simon Button



Above: Maungawhau
Image: Petra Leary

Additional Notes

Potential pitfalls

6.28 Pitfalls when assessing landscape effects include:
- assessing change rather than effect on landscape values (and the attributes which embody those values)
- limiting assessment to effects on physical character rather than landscape values derived from all its physical, associative, and perceptual dimensions
- stating a magnitude of effect rather than describing both the nature and magnitude
- assessing generic type of effect (e.g. on amenity values or 'landscape amenity') rather than explaining the specific effect on a landscape's values (and the attributes that embody those values)
- focusing on visual effects as a surrogate for landscape effects
- assessing change to views or visibility as an adverse visual effect[150]
- stating an opinion or a degree of effect without providing reasons.

Community and individual perceptions of landscape and visual effects

6.29 As discussed at paragraph 2.23, decision-makers have regard to community and individual perceptions of landscape and visual effects. Such perceptions are normally expressed through submissions and lay evidence. Residents, for instance, will be the most familiar with the amenity values they enjoy and will be best placed to describe such values and their interpretation of effects on those values. Theirs is an insider perspective. An expert landscape assessor, on the other hand, is typically an outsider. Our role is to provide an independent assessment that decision-makers can use to help compare and interpret community input. To fulfil this role in a balanced manner a landscape assessor should be aware of—and acknowledge—the range of views likely to be held within a community. However, our role is not to repeat (or attempt to mirror) the views of others but to provide an independent professional opinion. It is a different and complementary role to that of submitters and lay witnesses. Decision-makers may make findings by having regard to:[151]
- the lay witnesses (affected parties), and
- the values anticipated by plan provisions, and
- the independent professional evidence.[152]

Existing environment and permitted baseline

6.30 Landscape effects are measured against the landscape values of the existing environment. The 'existing environment' includes unimplemented resource consents that are likely to be implemented.

150. Visibility is not of itself an adverse effect. See 'Seafarers Building' [2013] NZEnvC 303, paragraph 104. "It is inevitable that a building 55 metres high on the Seafarers' site will be visually obvious...We were not persuaded that the resulting visual effects will necessarily be negative, but will depend on the building design and how it relates to other buildings in the same block and nearby...." See also 'Central Wind' [2010] NZEnvC14, paragraph 119. "We do not consider that visibility of itself is an adverse effect. We ask ourselves whether or not the sight of the [wind turbines] would in some way diminish the quality of the outstanding features and landscapes contained within the Park and the Desert or diminish the experience of visitors to them. We consider it would not."

151. See for instance 'Schofield' [2012] NZEnvC 68/12, paragraphs 51–57.

152. Including relevant evidence from other disciplines such as acoustics, odour, etc.

Above: Te Hoiere/Pelorus Sound, Marlborough
Below: Pakiri Beach, Tāmaki Makaurau
Images: Stephen Brown

Although just a small point of land, it cannot be put to one side

Ahakoa iti te koutu whenua, e kore e taea te parepare

Above: Kawarau/Remarkables—viewed from Jacks Point Otākou/Otago
Image: Richard Denney

153. For instance, the Auckland Unitary Plan policies and criteria, in addressing change and intensification, specifically require effects to be considered against the planned urban form.

154. Such as a resource consent application or a notice of requirement.

155. For instance, objectives, policies, development standards and assessment criteria for assessing future applications for resource consent.

6.31 Decision-makers may also have regard to the 'permitted baseline'—the effects that could occur from permitted activities that comply with development standards. State when you are using the permitted baseline as a benchmark against which to measure effects. In those situations:
- be clear on the difference between effects on the existing landscape and the permitted baseline
- take a non-fanciful approach as to what might reasonably be anticipated—a decision-maker is not obliged to have regard to the permitted baseline and may place little weight on a fanciful approach
- activities that require consent, such as a restricted discretionary activity, cannot be considered part of the permitted baseline.

6.32 Landscape effects are also interpreted against the outcomes sought in the relevant statutory provisions. Such provisions can comprise generic outcomes as stated in objectives and policies. Policies and criteria can also specifically require consideration of the planned future form of an area.[153]

6.33 Confirm planning matters such as the permitted baseline and planned future form with a planner or lawyer.

Differences between types of assessments of effects

6.34 Different approaches will be required in assessing effects for proposal-driven and policy-driven assessments.

6.35 For proposal-driven assessments there will be a specific proposal,[154] site, and statutory planning context. The effects can therefore be assessed precisely. Matters decision-makers consider when deciding resource consent applications are set out in RMA s104, differing for different types of activity status, and the requirements for AEEs are set out in Schedule 4. Matters decision-makers consider when deciding a Notice of Requirement (NoR) are set out in RMA s171. For a landscape and visual assessment, a key difference for a NoR compared to a resource consent application is the requirement in many circumstances to consider the effects of alternative locations and methods. Development standards also do not apply within a designation.

6.36 For policy-driven assessments, in contrast, the focus will typically be large areas, potential activity types, and higher order policies. Such assessments are required to inform Plan Preparation and for Plan Changes. The assessment will assess the potential effects of such generic activities, and the effectiveness of proposed policy measures[155] to manage such effects. The approach will be more strategic. Policy-driven assessments of landscape effects may be used to inform the RMA s32 evaluation report as to whether the proposed provisions are the most appropriate way to achieve the purpose of the RMA. Such reports are required to identify other reasonably practical options to

achieve the objectives, the efficiency and effectiveness of proposed provisions, and the reasons for adopting the proposed provisions. They are required to identify the costs and benefits of the environmental, economic, social, and cultural effects that will arise from the proposal. Landscape assessors carrying out policy-driven assessments should therefore be conscious of s32 and frame their assessments to be useful to the writer of the s32 report.

Activity status

6.37 Be conscious of the activity status of resource consent applications and any specific assessment criteria, and tailor the assessment accordingly.

- Tailor an assessment to address criteria where relevant (there are often criteria for controlled and restricted discretionary activities for example).
- For a controlled or restricted discretionary activity, focus on the matters to which control or discretion has been confined.
- For a discretionary activity, consider all landscape and visual effects.
- For a non-complying activity, the planners may have additional specific questions about the extent to which the proposal is consistent with objectives and policies (those relevant to landscape matters), or whether the adverse landscape and visual effects are more than minor (see below).

'Minor', 'less than minor, 'no more than minor', 'significant'

6.38 The terms 'minor,' 'less than minor,' and 'no more than minor' apply only to the following RMA situations:[156]

- As one of the 'gateway tests' for non-complying activities under s104D: i.e. that "the adverse effects of the activity on the environment ... will be minor"[157]
- As one of the tests for deciding if an application is to be publicly notified under s95A: i.e. that the adverse effects of the activity "on the environment are more than minor".
- As one of the tests for determining if a person is an "affected person" for the purpose of deciding if they are to be notified under the s95E "limited notification" provisions: i.e. that the adverse effects on the person will be "minor or more than minor (but are not less than minor)."

6.39 Such terms are often over-used. In the interests of precision, only use them where they are relevant (it may help to check with a planner or lawyer involved in the project). In those few situations where they are relevant, the terms can be described as follows:

- 'More than minor' can be characterised as 'moderate' or above.[158]
- 'Minor' adverse effects means some real effect but of less than moderate magnitude and significance. It means the lesser part of the 'minor-moderate-major' scale.[159] 'Minor' can be characterised as 'low' and 'mod-low' on the 7-point scale.[160]
- 'Less than minor' means insignificant. It can be characterised as 'very low' and overlapping with 'low' on the 7-point scale.[161] [162]

6.40 However, avoid an overly mechanical approach: "One is dealing with degrees of smallness. Where the line might be drawn between the three categories might not be easily determined."[163] There are different interpretations within the profession as to where the boundaries of such categories precisely fall. The key is to be transparent and explain the reasons to justify a professional judgement.[164] The 7-point scale is a rating of magnitude, whereas an assessment of whether effects are minor (or less than or more than) is a reasoned consideration of the magnitude and importance (significance) of such effects in context. Assess the individual effects first using the 7-point scale in the normal manner. Following that, consider whether the adverse effects are minor (or less than or more than) in the context of the relevant test.

6.41 Likewise, the term "significant adverse effect" applies to certain specific RMA situations, such as a threshold for the requirement to consider alternative sites, routes, and methods for Notices of Requirement under RMA s171(1)(b), and the requirements to consider alternatives in AEEs under s6(1)(a) of the Schedule 4. It may also be relevant to tests under other statutory instruments such as considering effects on natural character of the coastal environment or on outstanding natural features and landscapes in the coastal environment, under the New Zealand Coastal Policy Statement (NZCPS) Policies 13 (1)(b) and 15(b).

6.42 Significant adverse effect means of major magnitude and importance. A significant effect can be characterised as 'high' or 'very high' on the 7-point scale[165]—the upper part of the minor-moderate-major scale. But as above, it is a matter of context.[166] Assess individual effects first in terms of their nature and magnitude against the 7-point scale. Then, assess whether the adverse effect is significant in magnitude and importance (significance) in the context of the relevant test and statutory planning provisions. Explain the reasons to justify your professional judgement.

156. These tests relating to the term 'minor' may be a thing of the past under the new legislation. The Randerson Report recommended removing non-complying activities as an activity class, and changing the notification provisions to remove tests based around 'minor adverse effects'.

157. The alternative gateway test for non-complying activities is that the activity must not be contrary to the relevant objectives and policies.

158. Use the ordinary meaning of terms such as 'minor' and 'significant'. While the terms are to be interpreted in the context of the statutory instruments, they retain their ordinary meaning. Statements such as 'moderate is equivalent to minor in RMA terms' are not correct. See 'Okura' [2018] NZEnvC 78, para 557, "...we had some difficulty with the proposition that the term moderate equated to minor [...] We understand the word to mean lesser or comparatively small in size or significance. We consider the conflation of the two words would be contrary to the understanding of many persons as to their meaning and certainly contrary to our understanding". See also 'Trilane Industries' [2020] NZHC 1647 paragraph 55, "In my view, a conclusion that there would be moderate adverse effects imports a clear finding that the effects would not be minor or less than minor."

159. Temporary adverse effects should be considered when assessing whether adverse effects are 'minor' or 'less than minor' for the purposes of notification decisions. The limited duration or subsequent mitigation over time of such effects is not relevant in those notification situations—although it may be pertinent to the main decision (or "substantive decision") on whether to grant consent. ('Trilane Industries' [2020] NZHC 1647 paragraph 59–62), "I therefore consider the Council erred [in making its notification decision] in ignoring a temporary adverse effect which was moderate in scale by taking account that it would be mitigated in due course."

160. See also 'Progressive Enterprises' [2004] CIV-2004-404-7139, paragraph 54: "'Minor' is not defined. The dictionary definitions of 'Minor' include 'petty' and 'comparatively unimportant' (Cassell Concise English Dictionary); 'relatively small or unimportant...Of little significance or consequence' (Oxford English Dictionary)."

161. See 'Gabler' [2017] NZHC 2086 paragraph 94. "The test used to be of 'de minimis' effect. The use of the expression 'less than minor' points in a similar direction. 'Less than minor' in my judgement means that which is insignificant in its effect, in the overall context, that which is so limited that it is objectively acceptable and reasonable in the receiving environment and to potentially affected persons."

162. Note that the test under s95E as to whether effects are 'less than minor' relate to an activity's "adverse effects on a person". The test relates to notification, not the determination of an application. A cautious approach is recommended because the test is relevant to matters of natural justice: whether an affected person is given the opportunity to be heard. See also 'McMillan' [2017] NZHC 3148, paragraphs 12–15, and 'Green' [2013] NZHC paragraphs 94–95.

163. 'McMillan' [2017] NZHC 314, paragraph 13.

164. Opinions on whether effects are minor (or less than or more than)—or significant—usually fall to planners who look across all disciplines and effects. While we need to be ready to provide clear advice, it is recommended that landscape assessors use the 7-point scale except where there is a clear question as whether the landscape effects are 'minor' (or less or more) or 'significant'—and in those situations to provide such an opinion as a subsequent step.

165. 'Significant' also has meanings that derive from 'signify' (indicate). For instance, a small difference may be 'statistically significant', people may exchange a 'significant glance'. Be conscious of such nuances. In landscape assessment, significant usually means of large magnitude and importance.

166. 'Self Family Trust (Crater Hill)' [2018] NZEnvC 49, paragraph 501. "Significant adverse effects are, like inappropriate ones, a matter of context."

Above: Wainui Bay Spat Farm, Mōhua/Golden Bay
Below: Tokangawha Point, Coromandel Peninsula
Images: James Bentley

167. Such matrices were common in the past and are recommended in some overseas guidelines. For example, the GLVIA 3rd edition sets out the use of such matrices as a conventional approach, but also highlights the problems with such a convention and points out that the Institute of Environmental Management and Assessment promotes the replacement of 'sensitivity' and 'magnitude' with the 'nature' of the landscape and 'nature' of effect' (GLVIA box 3.1, page 37) which is similar to the approach recommended by these Guidelines.

168. 'Summerset Villages (St Johns)' [2019] NZEnvC 173, paragraph 76. "The use of repeated s127 or other applications has the ability to derogate from the finely balanced outcomes of an integrated consent and the finely crafted conditions. In these cases the Court can properly see the consent and conditions as entire. Thus the change of one element may add cumulative effects or otherwise compromise the original consent."

Sensitivity and magnitude

6.43 Avoid using matrices to measure the significance of effect as a function of 'sensitivity' and 'magnitude'[167] for the following reasons:

- Landscape values are too complex and varied to reduce to a single parameter such as 'sensitivity'. Similarly, 'magnitude' does not adequately address the nature and degree of effects on landscape values.
- Such matrices falsely imply that landscape effects can be practically measured as a type of mathematical function. They suggest an objectivity that is not warranted. At most, in a landscape context, such matrices illustrate a concept.
- Such matrices are an abstraction (an additional step) that introduces an additional chance of error.

6.44 Instead, it is more direct and transparent to describe the actual nature and degree of effect on the landscape's actual values (and attributes) and explain with reasons.

Cultural impact assessments

6.45 An assessment of landscape effects should integrate information on effects contained in a cultural impact assessment (or similar reports such as a cultural landscape effects assessment or a cultural values assessment, where these are available). As explained in paragraph 4.37, best practice is not to merely repeat or catalogue the findings of another report, which decision-makers will have regard to anyway, but to interpret the information to help inform an independent professional assessment of landscape effects.

Cumulative effects

6.46 Cumulative effects are the effects of a proposal in combination with those of previous developments. This might relate to such things as s127 variations to a resource consent (e.g. further additions to an approved development),[168] expansion of a facility (e.g. shopping mall), intensification of an element of infrastructure (e.g. 'four-laning' a two-lane highway), or additional projects of a certain type in an area (e.g. further rural subdivision, wind farms, marine farms).

6.47 Cumulative effects should be considered carefully because in one sense all effects are cumulative. Previous lawfully established activities are part of the existing environment against which the effects of a new activity are assessed. Mostly, the effects of a proposal are simply the effects on the existing environment. Likewise, a proposal's different types of effect (for instance noise and visual effects) are simply the proposal's combined effects rather than what is meant by cumulative effects.

6.48 Cumulative effects come into play in circumstances where an additional effect takes a landscape beyond a 'tipping point'[169]—which would normally require a benchmark against which the effects are to be measured. Such benchmarks might include the character envisaged in the district plan or the 'capacity' of a landscape to accommodate development before compromising its landscape values (its valued attributes). This is a matter of context and judgement. As with all matters of professional judgement, the key is in the reasons.

Calibration studies and second opinions

6.49 A useful tool is a calibration study, which entails assessing existing activities similar to that proposed to help pinpoint and calibrate the influence of factors on effects. Examples include studies to calibrate the prominence of features (such as wind turbines, power pylons, marine farms) at certain distances, and the extent to which certain factors (e.g. sun angle, elevation) may influence effects. However, tools such as calibration studies (and matrices discussed above) are only an aid. Do not surrender professional judgement to them.

6.50 A second person independently assessing a proposal (for example, independently rating magnitude of effects) can be a useful technique to provide a check of findings. However, such checks are for the sole benefit of the primary assessor who still takes responsibility for their findings.[170]

Photo simulations (visual simulations)

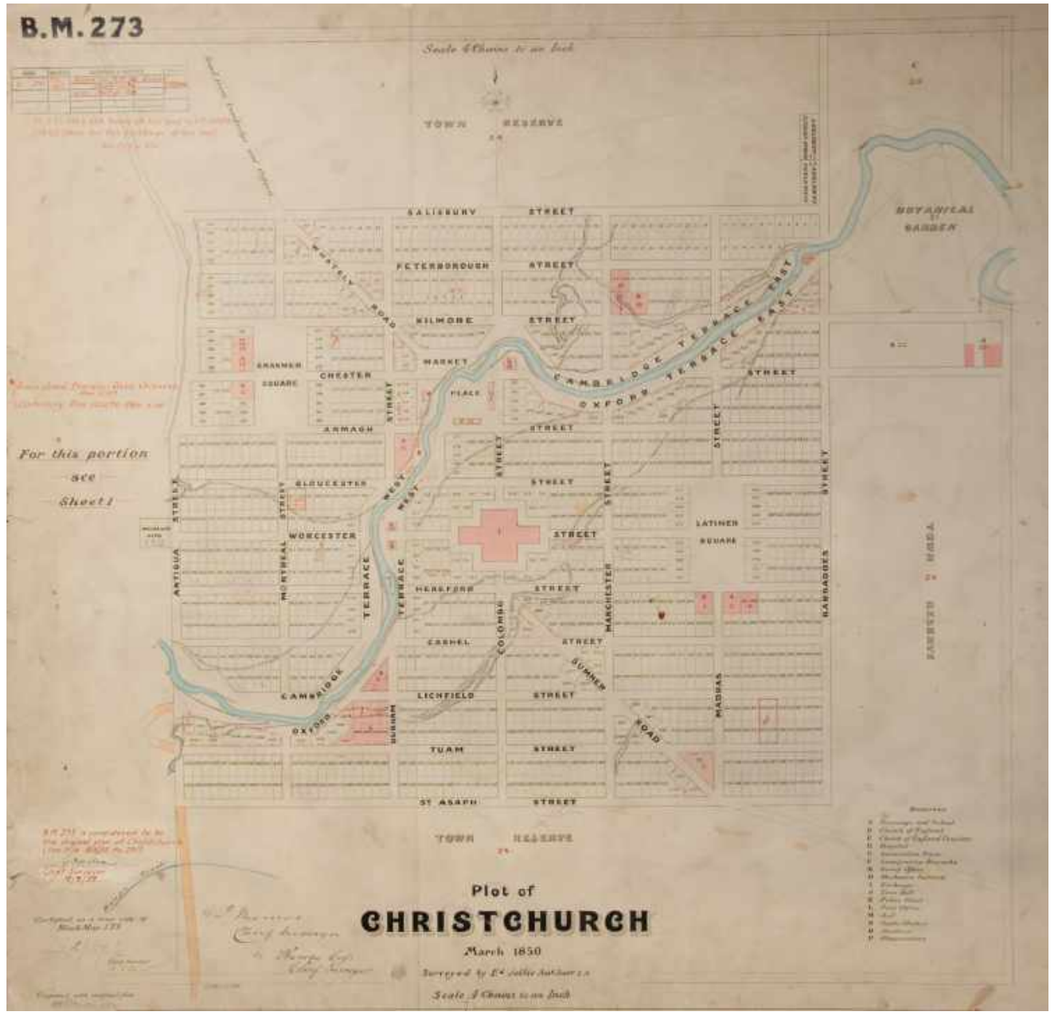
6.51 Photo simulations (or visual simulations) are useful tools for pictorially depicting proposed developments. But they should be properly prepared, and their limitations understood and explained.

6.52 Guidelines are set out in 'NZILA Best Practice Guide 10.2, Visual Simulations' (2010). Key parameters for presenting photo simulations are:
— field-of-view (wide enough to depict perspective and context)
— image scale (depicting correct size at a practical reading distance)
— resolution.

6.53 Limitations to bear in mind are that photos are static, have a limited field of view, and tend to flatten perspective. People typically experience landscapes as they move around and in a range of conditions—whereas photos often do not depict context and are taken from one viewpoint in one set of conditions. Representative viewpoints selected for photo simulations are also typically those in which the proposal will be clearly visible: they tend to present a 'worst case scenario' and may overstate how a proposal will be truly experienced. Photo simulations can focus attention on visual matters rather than overall landscape values. The 'before and after' format also can focus attention on change rather than effects on

169. Or 'saturation point' or 'the straw that will break the camel's back'. See 'Te Waka Wind Farm' [2007] NZEnvC Decision W24/07, paragraph 51–53 "...If a consent authority could never refuse consent on the basis that the current proposal is... the straw that will break the camel's back, sustainable management is immediately imperilled [...] Logically, it is an unavoidable conclusion that what must be considered is the impact of any adverse effects of the proposal on the environment. That environment is to be taken as it exists or, following Hawthorn, as it can be expected to be, with whatever strengths or frailties it may already have, which make it more, or less, able to absorb the effects of the proposal without a breach of the environmental bottom line—the principle of sustainable management".

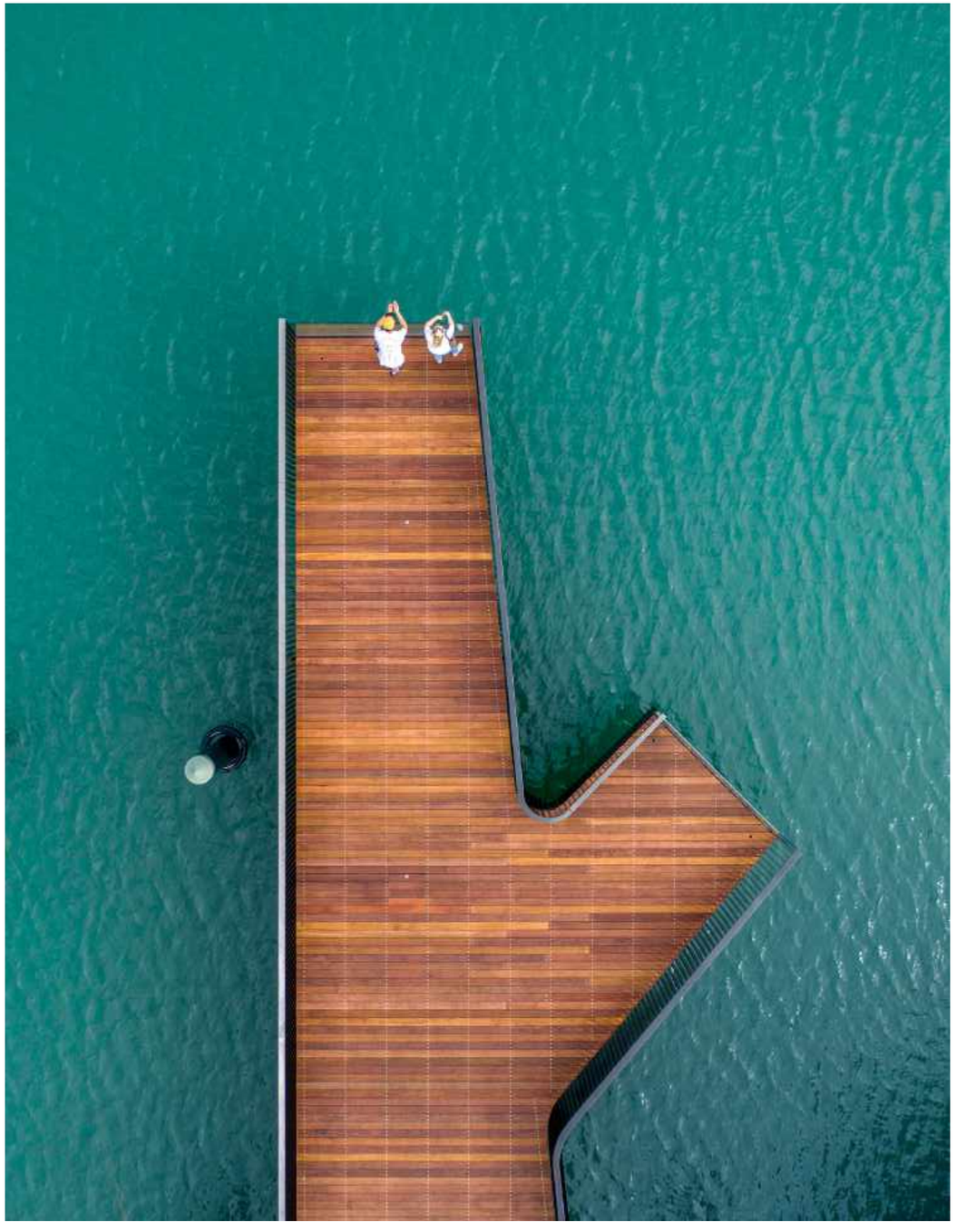
170. While a landscape assessor takes responsibility for their assessment (they cannot rely on a group view), it is valid to mention techniques such as independent second opinions and the like in the methodology statement as a quality assurance method.



'Everything changes, everything is connected, pay attention'

—Jane Hirschfield.
This haiku was used by visiting landscape architect and sculptor Richard Hansen to explain what he considered the essence of landscape architecture.

Above: 1850 Black Map of Christchurch



Above: Te Mata Topaki
Image: Petra Leary

landscape values. Understanding such limitations is not to discourage the use of photos but to ensure they are presented and interpreted in the most accurate way.

Potential visibility diagrams

6.54 Potential visibility diagrams have several names including ‘Zone of Theoretical Visibility’ (ZTV), ‘visual catchment’, ‘viewshed’. Such diagrams can be a useful tool to indicate potential visibility. They can assist in selecting representative viewpoints. They may help illustrate the difference in potential visibility between a proposal and that which is enabled by a plan as a permitted baseline.

6.55 However, such visibility diagrams should not be used as an indicator of effects. They have the following limitations and pitfalls:

- Seeing something is not itself an adverse effect—a potential pitfall is to interpret visibility diagrams as such.
- Visibility diagrams do not indicate the nature of effect such as the extent to which a proposal affects landscape values (i.e. whether it is out of place or not). They focus on visibility which is only one parameter.
- Visibility diagrams also have shortcomings in predicting actual visibility. They typically depict potential visibility based on topography alone, whereas actual visibility is often influenced by intervening vegetation or buildings. (This shortcoming can be addressed only if buildings and trees are modelled using (say) LIDAR survey data).
- Visibility diagrams also do not indicate the degree of visibility or prominence, and therefore give few clues as to magnitude of effect. For example, they do not indicate how much of the subject is visible or such parameters as distance, orientation, backdrop, and perspective depth.
- Visibility diagrams can focus attention to the margins of visibility where the degree of effect is typically also marginal. Effects are mostly experienced from closer places where visibility is not in question.

6.56 Accompany visibility diagrams with a commentary on how they have been used and explain their potential limitations.

Above: Dorothy Falls,
Lake Kaniere, West Coast
Image: Stephen Brown

171. The most common examples of landscape peer reviews are those prepared for the reporting planner on behalf of a council (i.e. for the s42A report). However, parties may sometimes commission peer reviews as an internal quality assurance method.

Peer reviews

6.57 A peer review is an evaluation of an assessment by someone with similar competencies.[171] Its weight relies upon the reviewer being impartial and having sufficient expertise and experience with respect to the subject of the principal assessment.

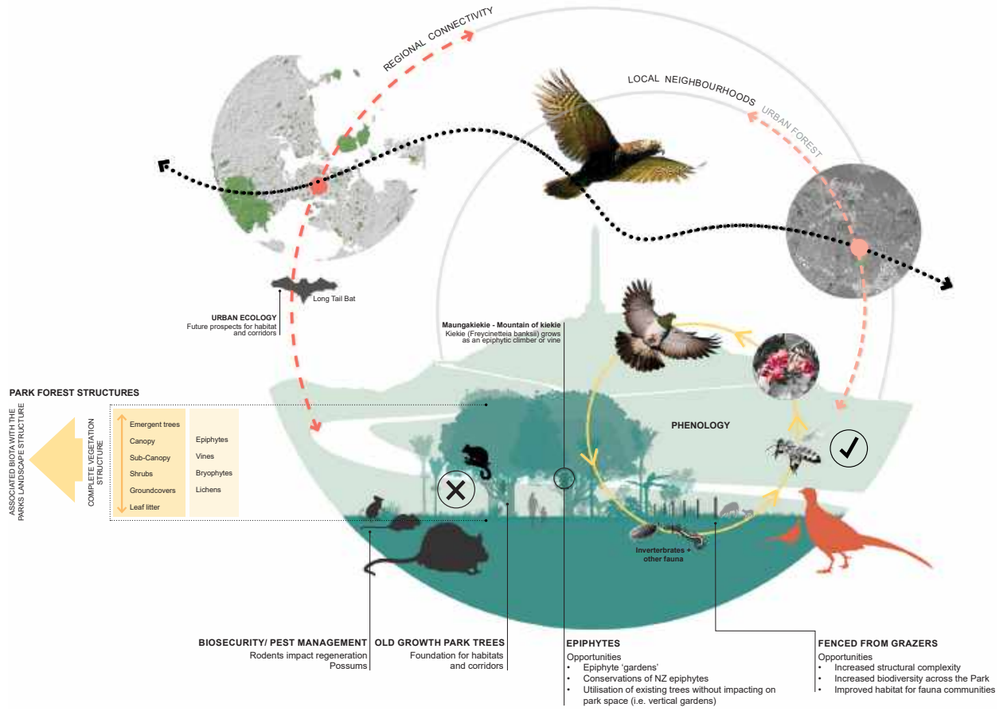
6.58 A peer review is a focused appraisal of the principal assessment, not a parallel assessment.

6.59 Peer reviews should be consistent with the professional role described in Chapter 2: The purpose is to assist decision-makers (and others) by checking an assessment's method and findings. Peer reviews should:
- be succinct and to the point
- focus on the principal assessment
- provide reasons to support the review.

6.60 No two landscape assessors are likely to carry out an assessment in precisely the same way. It is not helpful for a peer reviewer to demonstrate how they might have carried out the assessment differently or to dwell on unimportant details. However, if the reviewer considers the assessment method is not sound, or the assessment does not follow its stated method, or the findings are not credible, or there are gaps that are germane to findings, then additional assessment of part (or all) of the principal assessment may be warranted. Make clear where that is the case, explain the reasons for further assessment, and ensure that the additional assessment is reasoned and transparent. The differences in findings between the peer reviewer and principal assessment in such situations should be clear and reasoned.

6.61 A peer reviewer will typically review the assessment report, make a site visit, and write a short report confirming (or not) that the assessment:
- follows a sound methodology and method for the purpose
- considers the relevant statutory provisions and any relevant 'other matters'
- accurately describes, interprets, and evaluates the relevant landscape character and values
- analyses the effects on landscape values (for proposal-driven assessments) in a balanced and reasoned way
- reaches credible findings supported by reasons
- makes appropriate recommendations with respect to findings (depending on the type of assessment).

6.62 Landscape assessors should anticipate peer review by ensuring that the matters above have been addressed.



Example of peer review format

6.63 The following is an example of how a peer review might be structured:

- **Introduction**
  Introduce the project to be reviewed. Outline who engaged you, the documents reviewed, site visits undertaken, and any other relevant background.

- **Purpose and method of review**
  Explain that the purpose of the peer review is an appraisal of the assessment (not a parallel assessment). You might say that the review follows principles set out in these Guidelines and go on to outline the matters to be reviewed.

- **Appropriate methodology and method**
  Confirm that the reviewed assessment contains a methodology statement (or not). State whether the assessment is consistent with the concepts and principles set out in these Guidelines, and whether the method is appropriate. Considerations as to whether the method

Above: Site Ecology Diagram, Cornwall Park Masterplan
Diagram: Sam Bourne and Rachel de Lambert

Seek after learning for the sake of your wellbeing

Whāia te mātauranga, hei oranga mō koutou

Above: Matakitaki (Matukituki) river valley flats—Wanaka
Image: Richard Denney

172. Consistent with RMA Schedule 4 (2)(3)(c).

is appropriate include the purpose of the assessment, the landscape context (its character and values), the statutory planning provisions, the potential landscape issues, and the scale of the proposal and its potential effects.[172] State also whether the assessment has been carried out consistently with its stated method.

— **Existing landscape**
Confirm that the relevant landscape is identified (i.e. the relevant context and spatial scale), and its attributes and values pertinent to the assessment are described. Confirm that existing consents are considered in the description of the existing landscape, and that the permitted baseline or planned environment has been considered where relevant. The latter may be especially important, for example, where there is policy direction to achieve a different form from the existing landscape, such as in growing urban areas.

— **Proposal**
Confirm that the proposal is described clearly enough to understand potential landscape effects.

— **Statutory planning provisions**
Confirm that the assessment identifies and is framed in response to the relevant provisions. Check that the assessment considers, for example, relevant objectives and policies of the district plan, and consideration of any ONFLs. If near the coast, confirm that consideration has also been given to whether the assessment's subject is in the coastal environment, and if so, the relevant provisions of the NZCPS.

— **Landscape (including visual) effects**
Confirm that the assessment identifies the issues (or likely potential effects on landscape values) in the context of the relevant statutory provisions. Confirm that the assessment then explains (with reasons) both the nature and magnitude of assessed effects. Confirm that the assessment identifies both adverse and positive landscape effects. Confirm that any photo simulations and plans etc., are accurate and presented in a fair way (see paragraph 6.51–6.53).

— **Design response**
Confirm that the design measures taken to avoid potential adverse effects, or to remedy or mitigate such effects, will be effective. Confirm that such measures are underpinned by effective recommended conditions.

— **Conclusions**
Confirm that the assessment's findings and overall conclusions are credible and consistent with the analysis.

Above: Upper Nihotupu Reservoir
Image: Simon Button

As people disappear from sight, the land remains

Whatungarongaro te tangata, toitū te whenua

Whakarāpopototanga

Summary

Landscape effects are consequences for landscape values which arise from changes to a landscape's physical attributes. Change itself is not an effect. Rather, an effect is an outcome for a value. Landscapes are always changing.

To assess landscape effects, it is therefore necessary to first identify the landscape's values and the attributes (physical characteristics) on which such values depend.

Landscape effects can be adverse or positive.

Effects are considered against the existing landscape values, and the outcomes (or landscape values) sought in the statutory provisions.

It is important to assess both the nature and magnitude of effect. Magnitude only makes sense as a descriptor of the nature of effect. The magnitude is not the effect.

As with all matters of interpretation and appraisal, explain and justify assessments of effects with reasons.

Visual effects are a subset of landscape effects. They are effects on landscape values as experienced in views.

A typical 'proposal-driven' assessment of landscape and visual effects includes the following steps:

— identify the relevant landscape context and its appropriate scale(s) (i.e. extent)
— identify landscape values
— review the relevant provisions
— identify the issues
— assess the nature and degree of effects–with reasons
— design measures to avoid, remedy or mitigate adverse effects and to achieve positive effects (see Chapter 7)
— recommend conditions to ensure landscape outcomes.

Ngā Uara o te Whenua

07

Managing Landscape Values

173. A baking analogy is sometimes used to differentiate those aspects that are 'baked in' (integral) to the project from those that are 'sprinkled on' afterwards as mitigation.

174. These common attributes are useful foundations on which to integrate planning and design.

175. The separation of landscape architecture into two sub-disciplines is not helpful in this regard.

176. Not of all of these will be relevant in every situation.

Purpose of assessment is managing landscape values

7.01 The ultimate purpose of landscape assessment is to manage landscape values.

7.02 While landscape assessment may traditionally have tended toward maintaining existing values, or mitigating adverse effects, current practice and these Guidelines aspire towards improvement of landscape values. It is not enough to sustain the status quo if the landscape values are already diminished. Hence, these Guidelines highlight assessment of landscape effects in terms of outcomes on landscape values rather than in terms of mere change. They look beyond avoiding, remedying, and mitigating adverse effects to the greater imperative of positive outcomes for landscape values.

Integrate landscape assessment and design

7.03 Improvements are best realised when assessment and design operate in tandem. Such an approach helps ensure that positive effects, and avoidance of adverse effects, are 'designed-in'[173] to projects.

7.04 Assessment and design share such common foundations as:[174]
- close attention to context
- integration of many different factors and types of information
- creative interpretation and insight
- an impulse for better places, and the quest for opportunities to create such places.

7.05 Best outcomes are achieved when assessment and design operate in tandem from start to finish: assessment with a design lens and design with an assessment lens. In a statutory planning context, assessment can help articulate and direct outcomes and design can help resolve and realise outcomes. This is sometimes referred to as 'design-thinking'. While there can be differences in competencies between landscape planning and design, jointly applying those competencies is key to enhancing landscape values.[175]

Describe the design process

7.06 Describe, as part of the landscape assessment, how potential adverse effects were identified, avoided, remedied, and mitigated through the integrated assessment and design process. An integrated approach might include, for example:[176]
- strategic input to the initial planning and conceptualisation of a project
- input to site selection or route alignment
- input to considering alternatives (alternative concepts, locations, routes)

177. Such benchmarks include the time period in which the condition should be implemented. This should be specified where relevant.

- input to the design such as design decisions taken to avoid and remedy potential adverse effects, or design opportunities taken to incorporate positive landscape effects
- collaborative design (co-design) undertaken to give effect to tāngata whenua and/or community perspectives
- alternative design options considered and the reasons for the preferred option
- measures taken to mitigate the residual adverse landscape effects
- design description including how the concept responds to its landscape context, and how the concept is resolved at different scales and for each element of the project
- integration of landscape with other disciplines and any cross-over benefits
- implementation methods that provide confidence that the design and proposed mitigation measures will be successful (see the section on conditions, paragraphs 7.11–7.13).

7.07 It is more credible to explain an active design process to achieve positive outcomes and avoid adverse outcomes, than to passively assess effects after the design has already been carried out. Such an integrated approach can help with the statutory planning processes. It both indicates the intent to achieve the best outcomes and helps explain how the outcomes are achieved.

Explain design in terms of landscape values

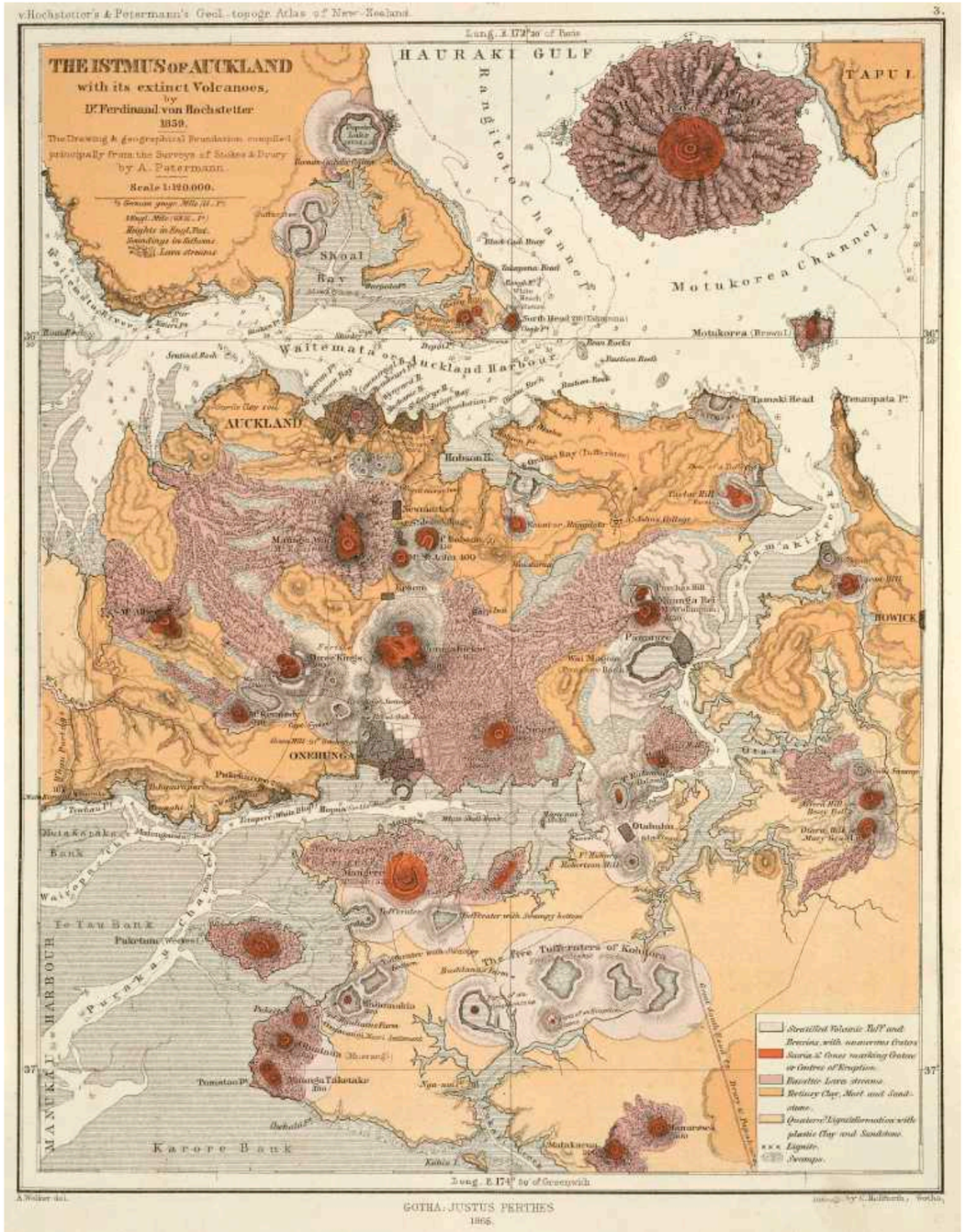
7.08 Explain the process and the design's attributes in terms of landscape values. Examples might be how a road alignment follows natural patterns, how a design restores natural processes, how a new building responds to the typical grain and materials of an area, or how a path's design celebrates aspects of its context.

7.09 The implications of a design are likely to entail positive effects, but can also include avoidance, remediation, or mitigation of potential adverse effects.

7.10 Explaining the implications of a design for landscape values is a skill that requires precision and perceptiveness. The assessor needs to interpret the design in terms of the landscape attributes that underpin landscape values. It also requires impartiality and objectivity (see paragraph 7.14).

Devise conditions

7.11 Devise conditions to ensure that the design's intended outcomes are achieved in fact, and to ensure that the claimed benefits are given weight in the statutory planning process.[177]



Above: 'The Istmus (sic) of Auckland with its extinct Volcanoes'
Map: Hochstetter, 1859

—Francis Upritchard (2022). ‘The Press’

‘Collaboration leads to error, misunderstandings and accidents, which show you new paths’

Above: Tahitai, Te Whanganui-a-Tara. Image: Joshua Joe

178. ‘Recommendations too often result in disappointing outcomes. It is dispiriting for best intentions to be let down by poor implementation. One means to ensure the assessor’s intentions are realised is through attention to the conditions, and to other tools such as design frameworks.

179. For example, the ‘business case’ model commonly used in government departments and other agencies uses successive phases of Preliminary Business Case, Indicative Business Case, and Detailed Business Case. As discussed, design frameworks are useful in ensuring continuity through these successive phases.

7.12 Unfortunately, conditions are often overlooked. They are the link between assessment, design, and outcome. It is important that they are carefully crafted. They are a key part of an assessment’s recommendations.[178]

7.13 The purpose of landscape conditions is to achieve outcomes for landscape values.

Maintain impartiality

7.14 A potential pitfall of integrating assessment and design is that assessors may become personally invested in a project to the point of losing impartiality. Landscape assessors working in such situations should be sufficiently self-aware to maintain an impartial approach consistent with the code of conduct discussed in Chapter 2. It is worth managing the additional risks because of the positive environmental outcomes also likely to be achieved by integrating design and assessment. The risks can be reduced by:

- acknowledging the risk
- explaining and interpreting the design in a professional, fair, and
- balanced manner
- avoiding overstating positives and ignoring or understating negatives - transparency and professional ethics should remain at the forefront
- working closely together but still maintaining separate assessor and designer roles where appropriate
- getting a second opinion on one’s assessment.

Design frameworks

7.15 One means of integrating assessment and design is through ‘design frameworks’ often employed for complex projects (e.g. highways or large urban developments). These frameworks set out the principles that guide the project through different phases of a project (e.g. project inception, planning, design, consenting, procurement, construction, maintenance)[179]—each phase at an increasing level of certainty and detail. Design frameworks maintain continuity through successive phases which may run over many years. Design frameworks will typically include:

- project objectives and statutory planning provisions
- a landscape analysis of the area - its relevant characteristics and values
- the guiding design concept and ideas
- the design principles—often expressed as outcomes
- the design, at increasing levels of detail, that gives effect to the concept, principles, and outcomes.

180. As noted above, the language in the consultation draft of the Natural and Built Environment Bill refers to outcomes for the benefit of the environment, and on protecting, restoring, and improving certain aspects of the environment.

7.16 Design frameworks link the assessment of the landscape character and values, tāngata whenua and community aspirations, design, outcomes, effects, and statutory requirements.

Co-design

7.17 Co-design is a way to integrate tāngata whenua and/or community involvement in landscape planning and design processes. It is a further expression of the principle of integrating assessment, design, and outcomes. Co-design is typically a joint process to develop a project. It is both 'co' and 'design'. It is based on the following principles:
- power sharing
- prioritising and building relationships
- ensuring active participation (in assessment and design)
- building capacity for further participation.

7.18 The co-design process can be as important as the outcomes. It is an approach that is likely to build trust, strengthen relationships, engender ownership, and improve outcomes.

Avoid vs remedy vs mitigate

7.19 It is commonplace for landscape assessments to include a section on mitigation of adverse effects. However, in s5 of the RMA, the first preference of "avoiding, remedying and mitigating any adverse effects" is to avoid (i.e. through such things as site selection and design). This requires the landscape architect to be an active participant in project design from its inception, not brought in after the design has been determined to mitigate effects. Mitigation should be a last resort. Section 7(c) and 7(f) of the Act also require particular regard be had to the maintenance and enhancement of amenity values and the quality of the environment respectively.[180] Policy statements and plans interpret these provisions with greater specificity as to different places or matters.

7.20 In addition, consideration of alternatives is required in certain circumstances:
- Section 6(1)(a) of Schedule 4, which lists the information required in assessments of environmental effects, requires a description of any possible alternative locations or methods if it is likely the activity will result in any significant adverse effect on the environment.
- Section 171(1)(b) similarly requires a territorial authority to consider whether adequate consideration has been given to alternative sites, routes, or methods if the work will have a significant adverse effect on the environment, or the requiring authority does not have an interest in the required land.

7.21 These RMA provisions support the greater imperative to actively avoid adverse effects and to enhance landscapes. As discussed, the best opportunity to avoid adverse effects and to achieve positive effects is for assessment and design to work in tandem.

Above: Wharekauhau
'a walk is a retreat'
Diagram: Emma McRae

It's fine to have recollections of the past, but wisdom comes from being able to prepare opportunities for the future.

He pai te tirohanga ki ngā mahara mō ngā rā pahemo, engari ka puta te māramatanga i runga i te titiro whakamua

Above: Lindis Lodge
Image: Rachel de Lambert

Above: Mt Maunganui from Mauao
Image: Simon Button

Ah, don't pluck the blossoms of the rātā. (Some things are beautiful as they are—there is nothing we can do to improve them).

E, kei whawhati noa mai i te rau o te rātā

Whakarāpopototanga

Summary

Managing landscapes is not limited to avoiding, remedying, and mitigating adverse effects. Rather, enhancing and restoring landscape values is the greater imperative.

Managing landscape values is best realised when design and assessment operate in tandem. Design and assessment share common foundations:
— close attention to context
— integration of diverse factors and types of information
— creative insight and interpretation
— an impulse to achieve improved outcomes: healthier, more efficient, aesthetically rewarding, meaningful places.

Landscape assessments, including assessments of effects, should explain design thinking that is incorporated ('designed-in') within a project. It is important, though, that assessors retain impartiality.

Conditions are important to ensuring that intended outcomes are achieved. A condition should make its purpose clear and it should be enforceable so that it achieves the intended outcome.

Co-design is a way to integrate tāngata whenua and community involvement in projects.

Design frameworks are a tool to integrate design and assessment through the successive planning, design, consenting, and construction phases of complex projects.

Ngā Whenua Ahurei

08

Outstanding Natural Features and Landscapes

What is an outstanding natural feature or landscape?

8.01 Section 6(b) of the RMA requires as a matter of national importance:

> *...the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.*[181]

8.02 An assessment may be required to either identify outstanding natural features and landscapes (ONF/ONL) or to consider the effects on ONFs and ONLs. The principles and processes outlined in preceding chapters for assessing landscape character, values, and effects also apply to ONFs and ONLs. The main differences are:

- when identifying ONFs and ONLs, there is an additional step: considering whether a natural feature or landscape is outstanding; and
- when assessing effects, there is a specific consideration as to whether something is inappropriate.

8.03 These Guidelines refer to ONFs identified for landscape values. ONFs may also be identified separately for geoheritage values using methods tailored to such values (see paragraphs 8.13–8.14).

8.04 'Outstanding natural features and landscapes' means 'outstanding natural features' and 'outstanding natural landscapes'.[182]

Meaning of 'outstanding'

8.05 'Outstanding' encapsulates both quality and relativity: for instance, "conspicuous, eminent, especially because of excellence" and "remarkable in".[183] It is a matter of reasoned judgement. An ONF or ONL will often be obvious.[184] The value of a professional assessment in such circumstances is therefore to explain the reasons (justification) that an ONF or ONL is outstanding and describe its values (and the attributes on which the values depend).

8.06 While 'outstanding' is a high threshold, it does not mean 'the best' or 'uniquely superior'.[185] ONF/ONLs are not regulated by quota. A district may comprise a high proportion of natural landscapes of such quality as to be ONLs (for instance Queenstown-Lakes). Conversely, it does not mean 'the best of a poor choice': A district may contain few ONF/ONLs.

8.07 A natural feature or landscape might be considered outstanding for many different reasons—it may have outstanding values that derive from its physical and/or associative and/or perceptual dimensions, although often the values arise from the interplay between all three dimensions. It is important that such values (and the attributes that embody the values) are identified precisely because they are what is to be protected.

181. Section 8(c) of the consultation draft of the Natural and Built Environments Bill requires that "outstanding natural features and landscapes are protected, restored, or improved".

182. See 'WESI' [1999] Decision No. C180, paragraph 81. NZCPS Policy 15 adopts this interpretation by referring to "outstanding natural features and outstanding natural landscapes", although the consultation draft of the Natural and Built Environments Bill retains the same phrasing as the RMA. Nevertheless, some practitioners maintain the meaning intended by the drafters of the RMA was 'outstanding natural features' and 'outstanding landscapes' and that such an interpretation would have accommodated all landscape types such as 'outstanding cultural landscapes'.

183. 'WESI' [1999] Decision, NZEnvC No. C180, paragraph 82.

184. 'WESI' [1999] Decision, NZEnvC No. C180, paragraph 99.

185. 'Port Gore' [2012] NZEnvC 72, paragraph 82.

8.08 An ONF or ONL is considered outstanding in the context of a region or district.[186] ONFs and ONLs do not have to be nationally outstanding. Rather, it is a matter of national importance to protect such regional or district ONFs and ONLs. The values of ONFs and ONLs are specific to their context.[187]

Meaning of 'natural'

8.09 "Outstanding natural features and landscapes" does not mean features and landscapes that are outstandingly natural. It means natural features and natural landscapes that are outstanding.

8.10 'Natural' means characterised by natural elements (such as landforms, vegetation, rocks, water bodies) as opposed to built elements (such as buildings and infrastructure). The essence of an ONF or ONL is not necessarily the degree of naturalness but that it is sufficiently natural to be considered a natural feature or natural landscape. 'Natural' covers a broad scope. Some ONFs and ONLs comprise managed rural landscapes such as pastoral farmland and pine plantations. Most landscapes exhibit some modification, even if only through the impact of introduced plant and animal species. Some geoheritage ONFs consist of human-made exposures of natural rock features such as in road cuttings.

8.11 Whether a feature or landscape is a natural feature or natural landscape is a matter for reasoned assessment in context. 'Cultured-nature' landscapes may be sufficiently natural to be considered as an outstanding natural landscape.[188] It was suggested in two Environment Court decisions that the naturalness threshold might fall somewhere within 'moderate-high' on the 7-point scale so that "there will likely be landscapes within the moderate-high range of naturalness that could be regarded as natural enough for ONL status", although a subsequent decision reinforces that there is "no arbitrary threshold of sufficient naturalness".[189]

Meaning of 'inappropriate'

8.12 Whether a subdivision, use or development is 'inappropriate' will be answered with reference to the landscape values that make the ONF or ONL outstanding (i.e. what it is that is sought to be protected). An essential task, therefore, is to precisely identify such values and the attributes that embody those values.

Geoheritage and landscape values

8.13 Outstanding natural features can be identified separately for geoheritage reasons[190] alongside those identified for landscape reasons. The relevant matter in such situations is the values for which the feature is considered outstanding. If an ONF is identified for its geoheritage values, it is the geoheritage values that are to be protected. If an ONF is identified for its landscape values, it is the landscape values that are to be protected. The reasons for which the ONF is identified should be reflected in its classification.

8.14 Geoheritage values are assessed by methods tailored to such values.[191] Examples of ONFs identified for geoheritage values include landforms of geomorphological significance such as volcanoes and caves; geomorphological features such as fault-displaced watercourses and terraces; 'type-locations' for rock or soil types; and geological exposures such as those that contain important fossils, minerals, sedimentary and structural features and relationships between rock units. Geoheritage and landscape ONFs can be identified and classified separately,[192] or (preferably) as part of a cross-disciplinary approach that harnesses both landscape and geoscience expertise. While ONFs identified from landscape and geoheritage perspectives do not always coincide, it is not uncommon for ONF landforms to have both landscape and geoheritage significance. Combining such matters means those values may be protected in an integrated way.

186. That is, it is outstanding in the context of the relevant authority's territory. A district council is to identify ONFs and ONLs in the context of its district. A regional council is to identify ONFs and ONLs in the context of its region.

187. Assessing an ONL in the context of a region means more than simply applying a regional comparator. It means assessing whether the landscape is outstanding in its context. See 'Man O'War Bay' [2015] NZHC 767, paragraph 47. "...I am not persuaded that it is necessary to incorporate a 'national' comparator (or even a regional or district one) into the consideration of 'outstandingness'. The Courts in which the jurisprudence has been developed have not been asking 'is this a nationally significant outstanding natural landscape?' They have been asking simply 'is this an outstanding natural landscape'. That is the issue that they are required to consider, under the RMA."

188. 'Long Bay' [2008] NZEnvC 78 paragraph 135. "...There is a spectrum of naturalness from a pristine natural landscape to a cityscape, and a 'cultured nature' landscape may still be an outstanding natural landscape."

189. 'High Country Rosehip Orchards' [2011], NZEnvC 387, paragraph 93. 'Denniston Plateau' [2013] NZEnvC 047 paragraph 47. See also 'Hawthenden Farms' [2019] NZEnvC 160, paragraph 61, "There is no arbitrary threshold of sufficient naturalness for a feature or landscape to qualify as an ONF/ONL".

190. Geoheritage is the aspect of geoscience concerned with identification and protection of significant geological features and landforms. The Geoheritage Sub-committee of the Geoscience Society of New Zealand is responsible for the New Zealand Geopreservation Inventory which lists and maps such features.

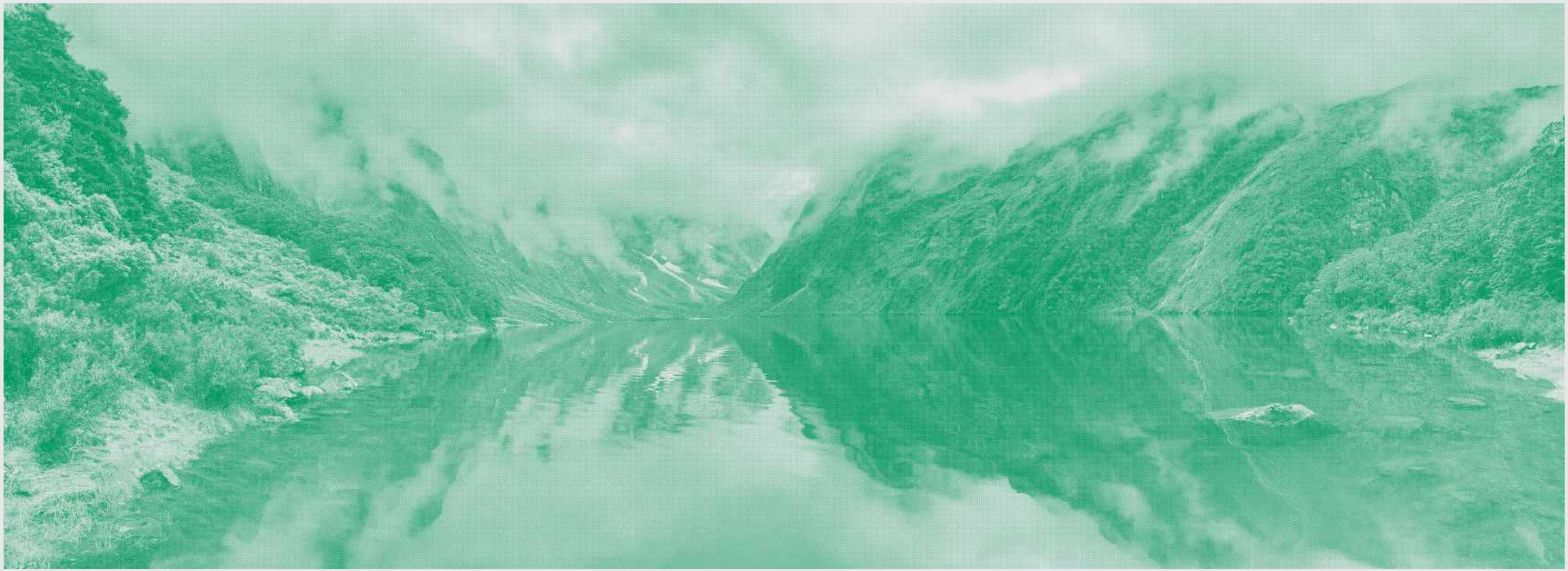
191. 'Geoscience Society of New Zealand, Best practice guide: Outstanding natural features. What are they and how should they be identified? How their significance might be assessed and documented', 2019, Geoscience Society of New Zealand Miscellaneous Publication 154. https://www.gsnz.org.nz/publications-and-webstore/product/127.

192. If ONFs are identified separately for geoheritage or landscape reasons, they should be classified so that the reasons for their identification (and the values to be protected) are clear.

Above: Ngauruhoe from Ruapehu
Image: Stephen Brown

Plait a many stranded rope for yourself, plait a thousand stranded rope for yourself; land is the substance, land is the foundation, it cannot be taken

Whiria he kaha tuatinitini mōu, whiria he kaha tuamanomano mōu; he koutu whenua, he take whenua, e kore e taea



Above: Lake Marian, Fiordland National Park
Image: Simon Button

Above: Kura Tawhiti/
Castle Hill
Image: Simon Button

193. A regional or district wide assessment enables potential ONFs and ONLs to be properly interpreted and evaluated with respect to their context. Such an approach is also able to assess other aspects of the landscape resource, such as cultural landscapes, in an integrated way. Context in this sense means the setting from which a landscape derives its significance (see paragraph 8.22). It means more than the level of comparison (e.g. it means more than simply 'amongst the best in the district').

194. See for example 'Unison Networks' [2007] CIV 2007-485-896 paragraphs 81, 85, 86. Also 'Stephenson Island' [2014] NZEnvC 92, paragraph 78 ff. 'Central Wind' [2010] NZEnvC 14, paragraph 69. 'Chance Bay [1999] NZEnvC Decision W70/99 paragraph 159. The same principle applies to ONFs, for instance see 'Puti Bridge Kawhia' [2007] NZEnvC Decision W25/07 paragraphs 178–179 and 199–200.

195. See 'Southland Fish and Game (Oreti River)' [2016] NZEnvC 220, paragraph 302–304. "The Environment Court may find that a natural feature or landscape is outstanding even where the District Council has not carried out this assessment and recognised and provided for them (where they exist) in their planning documents. A finding that a natural landscape and feature is outstanding in the absence of a district-wide assessment will be the subject-matter of comprehensive evidence."

196. See WESI' [1999] NZEnvC Decision C180/99, paragraph 99.

Identifying outstanding natural features and landscapes

8.15 The process can be summarised as follows:
- identify 'candidate' natural features and natural landscapes
- assess the character and values of each candidate
- evaluate whether each feature and landscape is outstanding
- delineate the ONF or ONL.

Identify candidate natural features and landscapes

8.16 ONFs and ONLs are best assessed as part of a region or district-wide landscape assessment. Good practice for such exercises is to assess the landscape character and values of the whole region/district paying attention to each area's physical, associative, and perceptual dimensions within a historical frame (as outlined in Chapter 5). Candidate outstanding natural features and landscapes will become evident from such an assessment. At the same time, it will provide the context within which to assess the values of each candidate ONF and ONL.[193]

8.17 There are situations, though, in which landscape assessors are required to assess whether a single natural feature or landscape has the qualities of an ONF or ONL. It is open to decision-makers to make a finding as to whether such a feature or landscape is an ONF or ONL notwithstanding plan provisions (i.e. to decide a natural landscape is an ONL even though not identified as such in the plan, or to decide an identified ONL is not in fact an ONL, or to refine the boundaries of an ONL).[194] In such instances, decision-makers rely on landscape evidence. It is not necessary to assess all landscapes in a district to arrive at a professional opinion. Whether a natural feature or landscape is outstanding is a matter of reasoned judgement rather than exhaustive comparison.[195] 'Outstandingness' should generally be obvious—especially once the reasons have been articulated.[196]

8.18 Confirm that the candidate feature or landscape is sufficiently natural to be a natural feature or natural landscape (see paragraph 8.11).

Assess the character and values of candidate ONFs and ONLs

8.19 Assess the character and values of the natural feature or landscape in terms of its physical, associative, and perceptual dimensions, following the process outlined in Chapter 5 of the Guidelines.

Determine whether they are outstanding?

8.20 In effect, there is one criterion (that it is outstanding) and one pre-condition (that it is a natural feature or natural landscape).

8.21 The reasons ONFs and ONLs are outstanding vary. An ONF or ONL may be outstanding, for example, for natural science values, and/or because of important traditions, ancient stories, and whakapapa, and/or because it is aesthetically distinctive in a strategic location. While an ONF or ONL may be outstanding for a single reason, it is more likely to be outstanding for a combination of reasons. The physical, associative, and perceptual dimensions typically reinforce each other.

8.22 Whether a natural feature or landscape is outstanding also derives in part from context: the role and meaning it has in the context of an area, and its value for that area. What might be unremarkable in one location can be outstanding in another context.

8.23 Evaluating whether a feature or landscape is outstanding is a matter of reasoned judgement. As with other matters of professional opinion, the reasons given in justification are key.

Delineate and map the ONF/ONL

8.24 The general extent of a natural feature or landscape will be apparent when assessing its character and value. Delineating the boundary precisely is usually a subsequent step taken after assessing whether it is outstanding or not. The extent and boundary should derive from the values and attributes of the natural feature or landscape (see paragraphs 5.18–5.20). The boundaries should not be determined in response to the potential constraints of such delineation on land use.[197]

8.25 See paragraphs 5.20 and 8.30 about treating landscape boundaries in a reasoned way when assessing effects.

Describe the landscape values

8.26 Describe the values that make the natural feature or natural landscape outstanding, and the attributes on which those values depend and that therefore are to be protected. Be precise: these are the values against which the appropriateness or otherwise of an activity will be assessed. Such values should be listed in the statutory plan.[198]

197. See 'Man O'War Station' [2017] NZCA 24, paragraph 62 "The questions of what restrictions apply to land that is identified as an outstanding natural landscape and what criteria might be applied when assessing whether or not consent should be granted to carry out an activity within an ONL arise once the ONL has been identified. Those are questions that do not relate to the quality of the landscape at the time the necessary assessment is made; rather, they relate to subsequent actions that might or might not be appropriate within the ONL so identified..."

198. 'Matakana Island (1st decision)' [2017] NZEnvC 147, paragraph 128 and 166.

Above: Punakaiki, West Coast
Image: Stephen Brown

Assessing effects on outstanding natural features and landscapes

8.27 Identify the ONF's or ONL's values, and the attributes on which the values depend. As discussed above, such values and attributes may be described in the regional or district policy statement/plan but, if not, or if inadequately identified, a landscape assessor may need to undertake their own assessment.

8.28 Identify potential effects of subdivision, use or development with reference to:
- the values to be protected, and the attributes that embody those values; and
- the provisions of the relevant statutory plan or policy statement; and
- the context of the specific landscape.[199]

8.29 Analyse the nature and degree of effects on the ONF/ONL's values in the same way as outlined in Chapter 6, including attention to the attributes which embody the values. Assess the overall effects on the values of the ONF or ONL, and whether the proposal is appropriate or inappropriate:
- An adverse effect is one that detracts from the values for which the natural feature or landscape is considered outstanding.
- Whether a subdivision, use or development is 'inappropriate' will be answered with reference to the landscape values (what it is that is sought to be protected),[200] the landscape context, and the statutory provisions.[201]

8.30 It does not follow that activities/development within an ONL will necessarily lead to adverse effects on the values for which the ONL is protected.[202] Conversely, activities/development outside the boundaries of an ONL can lead to adverse effects on such values.[203] Treat boundaries in a reasoned way when assessing effects (see paragraphs 5.18–5.20 and 8.24).

8.31 For the avoidance of doubt, an adverse effect on an ONF/ONL should be measured against the values rather than the 'outstanding' threshold: whether the landscape in question would remain outstanding is not determinative of whether there is an adverse effect or not.[204]

199. See 'Man O'War' [2017] NZHC 3217, paragraph 95. "...whether an activity causes "adverse effects" or whether an activity is "inappropriate subdivision, use [or] development" will be determined by its effect on the characteristics and qualities of the ONL that are "existing in or caused by nature". This is a contextual assessment. Where there are existing farming activities the mere continuation of those activities will not ordinarily give rise to adverse effects on the natural characteristics and qualities of the ONL."

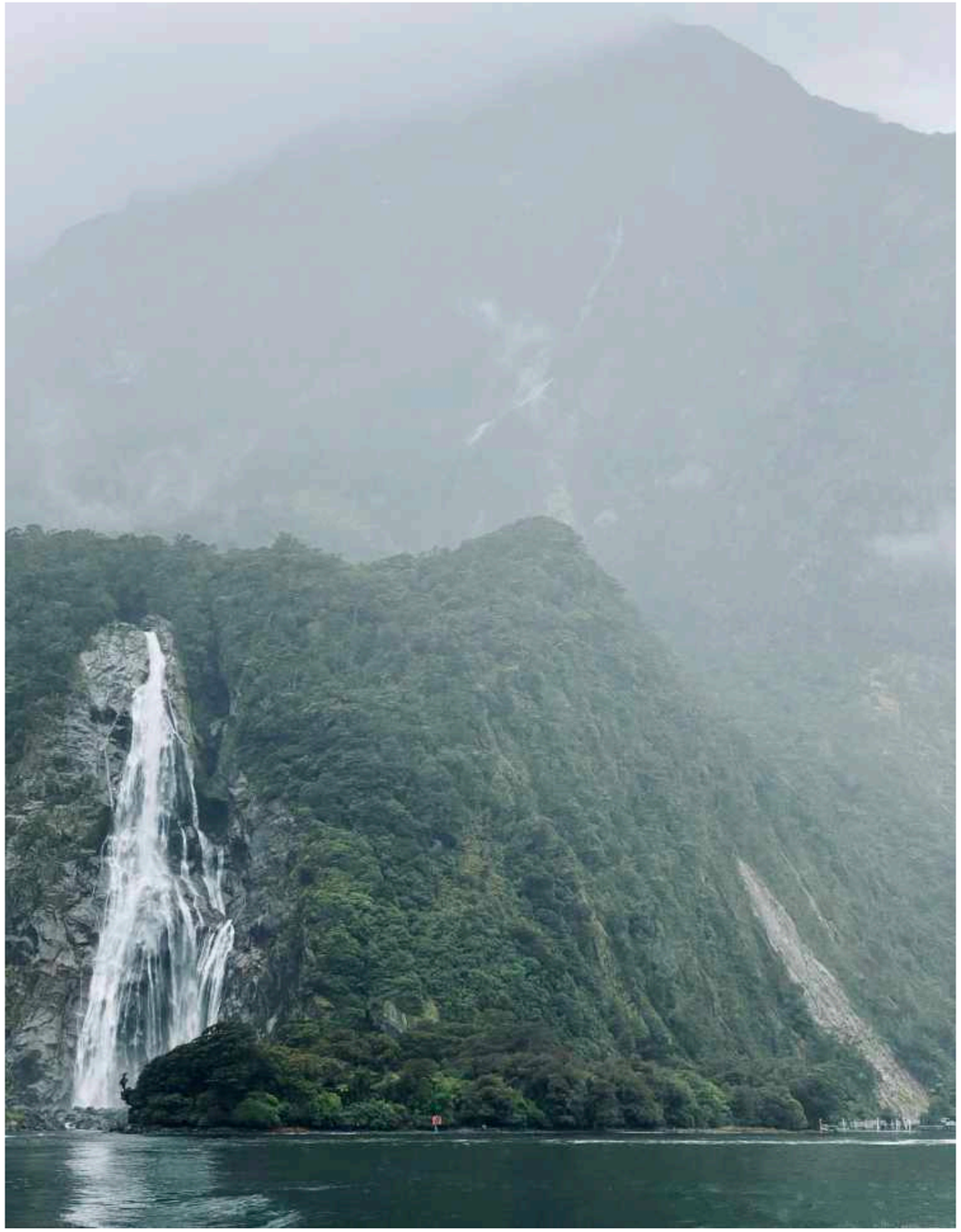
200. 'King Salmon' [2014] NZSC 38, paragraph 105. "We consider that 'inappropriate' should be interpreted in s6(a), (b) and (f) against the backdrop of what is sought to be protected or preserved. That is, in our view, the natural meaning. The same applies to objective 2 and policies 13 and 15 in the NZCPS."

201. For example, Policy 15 (a) of the NZCPS is to avoid adverse effects on ONF/ONLs in the coastal environment; the regional and district plans may give effect to this requirement in more specific detail.

202. See 'Papanui Inlet' [2018] NZEnvC 250, paragraph 151. 'Skyline Enterprises (2nd Decision)' [2018] NZEnvC 242, paragraph 50. 'WESI' [1999] NZEnvC C180/99, paragraph 99. "...Just because an area is or contains an outstanding natural landscape does not mean that development is automatically inappropriate."

203. 'Central Wind' [2010] NZEnvC 14, paragraph 94 and 'Unison Networks' [2006], NZEnvC W58, paragraph 42. The same principle was established for effects on natural character of the coastal environment in 'West Wind' [2007] W31/07 paragraph 405.

204. See 'Okura' [2018] NZEnvC 78, paragraph 635.



Above: Piopiotahi/Milford Sound
Image: Simon Button

Above: Waiotapu, Rotorua
Image: Stephen Brown

Hold fast to the valued treasure, not to the illusory treasure, lest you be left as fertiliser for the human land

Kia mau ki te kura whero,
kei mau koe ki te kura tawhiwhi;
kei waiho koe hei whakamōmona
mō te whenua tangata

Whakarāpopototanga

Summary

Natural features or natural landscapes are characterised by their predominance of natural components (landform, vegetation, water bodies) over built components (buildings and infrastructure), earthworks.

ONFs and ONLs are natural features and natural landscapes that are outstanding, not features and landscapes that are (necessarily) outstandingly natural.

'Outstanding' is a measure of quality and relativity in the context of a region or district. It is a high standard but is not limited to only 'the best' or 'uniquely superior'. Context means more than the level of comparison–it means the setting from which a feature or landscape derives its significance.

ONFs or ONLs might be considered outstanding for many different reasons. The values for which they are considered outstanding might derive from their physical and/or associative and/or perceptual dimensions: often it is the interplay between all three dimensions.

It is the values for which the ONF or ONL is considered outstanding that are to be protected (through management of the attributes in which the values are embodied).

The process for identifying and evaluating ONFs and ONLs can be summarised as:
— identify 'candidates' (normally as part of a district or regional landscape assessment)
— assess the character and values of each candidate
— evaluate whether the candidate is outstanding and (sufficiently) natural
— delineate the ONF or ONL.

Effects on ONFs and ONLs are considered in terms of identified landscape values. Whether subdivision, use and development are inappropriate or not will be answered with reference to such values.

ONFs can be classified on both geoheritage and landscape grounds. In either situation, the values for which the ONF or ONL is considered outstanding determine what is to be protected.

Āhuatanga Taiao

09

Natural Character

What is natural character?

9.01 'Natural character'[205] has specific application in Aotearoa New Zealand because s6(a) of the RMA provides, as a matter of national importance, for:

> *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.*[206]

9.02 Natural character has been interpreted as:
- the naturalness[207] or degree of modification of an area
- an area's distinct combination of natural characteristics and qualities.

9.03 The former is a quantitative attribute—a condition.[208] The latter is a character specific to each area.

9.04 The Guidelines adopt the interpretation that natural character is a type of character–the distinct combination of an area's natural characteristics and qualities,[209] and that naturalness is one attribute of that natural character.

> *Natural character is an area's distinctive combination of natural characteristics and qualities, including degree of naturalness.*

9.05 The reasons for this interpretation are:
- It recognises that s6(a) uses the term 'natural character' rather than 'naturalness.'
- It is consistent with Objective 2 of the NZCPS, which is (amongst other things) to recognise the characteristics and qualities that contribute to natural character; and with the matters listed in Policy 13(2), of which the range of natural character between pristine and modified (i.e. naturalness) is only one matter.[210]
- It allows for assessment of each area's specific natural character (compared to the generic attribute of naturalness) and therefore a more responsive approach to understanding each area's natural character and protecting it from inappropriate activity. It lends itself to a nuanced approach to all areas of the coastal environment (and the other waterbodies), rather than the temptation to focus only on "mapping or otherwise identifying at least areas of high natural character."[211]
- It is consistent with the evolution of concepts of 'natural' and 'natural character' (see paragraphs 9.41–9.56).
- It aligns with a consistent use of 'natural' and 'character,'[212] as those terms are interpreted elsewhere in the Guidelines.
- It potentially resolves the different interpretations by incorporating the condition of 'naturalness' as one attribute of 'natural character'.

205. This Chapter focuses exclusively on s6(a) matters—the preservation of natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins—not the natural character of landscapes in general.

206. Section 8(e) of the consultation draft of the Natural and Built Environments Bill requires more simply that "in respect of the coast, lakes, rivers, wetlands and their margins,—(i) public access to and along them is protected or enhanced; and (ii) their natural character is preserved".

207. Naturalness in this context is the extent to which natural processes, elements, and patterns occur and the relative absence of human elements such as structures and roads. It is a measure of the actual and apparent modification from a fully natural state.

208. Albeit, determined from an area's specific characteristics and qualities.

209. Natural character is an attribute of places and features—it does not exist of itself. See for example 'Port Gore' [2012] NZEnvC 072, paragraph 132.

210. It is interesting to compare this policy with the superseded NZCPS 1994 which stated at Policy 1.1.3 that "it is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character of the coastal environment (a) landscapes, seascapes and landforms, including: (iii) the collective characteristics which give the coastal environment its natural character..."

211. New Zealand Coastal Policy Statement, 2010, Policy 13 (1)(c).

212. See 'Save Wanaka Lakefront' [2017] NZEnvC 88, paragraphs 175–176. "On the evidence, we find that an assessment of effects on natural character should consider both biophysical and perceptual dimensions, as the words 'natural character' suggest. The relative weighting of these dimensions is a matter of judgment on the evidence. [176] We also find on the evidence that landscape character is inherently related to natural character. As noted also, the experts agreed that '"natural character' is a subset of landscape character..." See also 'Clearwater Mussels' [2016] NZEnvC 21, paragraph 65.

213. Such a list is consistent with Objective 2 of the NZCPS because it recognises characteristics and qualities that contribute to natural character of the coastal environment.

214. There are different views within the profession (and in other disciplines and organisations) on what natural character is and how it should be assessed. While the Guidelines set out a coherent interpretation and approach, they also promote flexibility for alternative approaches subject to the overriding principles of transparency and explanation.

9.06 In lieu of a definition, the New Zealand Coastal Policy Statement 2010 (NZCPS) lists examples of matters that contribute to natural character of the coastal environment. The list comprises the natural physical environment and how it is perceived and experienced in context:[213]

> *Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:*
> — *natural elements, processes and patterns;*
> — *biophysical, ecological, geological and geomorphological aspects;*
> — *natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;*
> — *the natural movement of water and sediment;*
> — *the natural darkness of the night sky;*
> — *places or areas that are wild or scenic;*
> — *a range of natural character from pristine to modified; and*
> — *experiential attributes, including the sounds and smell of the sea; and their context or setting. [Policy 13 (2):]*

9.07 The focus on the degree of natural character (or what these Guidelines refer to as 'naturalness') arises in part because of Policies 13(1)(a), (b), and (c) of the NZCPS:
— Policy 13(1)(a) is to avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character.
— Policy 13(1)(b) is to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment.
— Policy 13(1)(c) of the NZCPS is to achieve these outcomes by assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character.

9.08 Some regional and district assessments, therefore, focus on identifying and mapping areas of high and outstanding natural character, rather than what the Guidelines consider to be a broader concept of natural character.

9.09 It is recognised that the interpretation offered by these Guidelines is not universal. It is therefore important to explain the interpretation of natural character and the method to be used in any assessment.[214]

Above: Onehunga Wharf, Tāmaki Makaurau
Image: Stephen Brown

215. Have regard also to the body of 'case law' on natural character. Subject to the caveats in paragraphs 2.30–2.31, it helps to be cognisant of relevant decisions to help understand natural character and frame assessments.

Assessing natural character

9.10 The same principles and approaches apply to assessing natural character as apply to assessing other types of character: in short, the approach is to describe and analyse the attributes (characteristics and qualities) and interpret how they come together as overall character. In this instance, the focus is on the natural characteristics and qualities, and their collective expression as natural character.

9.11 Natural character assessments may be included as sections within other landscape assessments or as stand-alone reports depending on the nature and complexity of the situation. Natural character assessments may be undertaken for such purposes as:

- proposal-driven assessments—for instance, the effects of a resource consent application on the natural character of an area of the coastal environment, or of a water body and its margins
- policy-driven assessments—for instance, an assessment of a region to identify and map areas of high and outstanding natural character (area-based), or to inform policies for certain types of activity (e.g. coastal residential development, forestry, marine farms) with respect to natural character (issue-based).

9.12 While each is different, the various types of natural character assessment are likely to share the following common elements:

- explain the methodology and method
- identify the relevant area
- assess the natural characteristics and qualities of the area
- interpret how the characteristics and qualities come together to create the area's natural character
- evaluate and determine the natural character with respect to context and purpose of the assessment, which may include: i) the significance of the area's natural character, ii) the key characteristics and qualities that embody such significance, and iii) the degree of naturalness.

9.13 The following paragraphs elaborate on each of these elements.

Explain methodology

9.14 Define 'natural character'. Explain your interpretation of natural character to be used in the assessment (see paragraphs 9.02–9.09). As discussed above, this is important given the different interpretations of natural character. Explaining your interpretation of natural character helps transparency and will help decision-makers (and others) understand your assessment. Explain your interpretation in terms of consistency with the intent, principles, and language of the NZCPS (where applicable) and with RMA s6(a).[215]

9.15 Tailor the method for assessing natural character to each project's purpose and context (see Chapter 2).

Hawaiki is the land where the food grows wild

Ko Hawaiki te whenua e tupu noa mai te kai

Above: Ruamaahu/Alderman Islands
Image: Rebecca Ryder

Above: Cape Egmont Lighthouse, Taranaki
Image: Sophie Fisher

216. For RMA purposes, natural character is an aspect of areas in the coastal environment, wetlands, lakes and rivers and their margins.

217. The consultation draft of the Natural and Built Environments Bill refers to preserving the natural character of the coast, lakes, rivers, wetlands, and their margins. It does not use the term coastal environment.

9.16 Explain the method. A methodology statement might say that the assessment follows the concepts and principles of these Guidelines (or otherwise if that is the case) and then outline the method tailored to the project.

Identify the relevant area

9.17 Identify the extent of the relevant area using reasoned judgement as to scale and context:

- Natural character is an aspect of an area.[216]
- The areas to which natural character applies occur at different spatial scales. The appropriate extent will be determined by considering the landscape itself, together with the purpose of the assessment. For instance, a regional policy-driven assessment will typically identify and map areas with consistent natural character, while a proposal-driven assessment will focus on an area sufficient to understand the proposal's effects on the natural character of the receiving environment.
- Include both water and land. Each of the areas to which natural character applies under RMA s6(a) is centred on bodies of water and includes their margins and land context. Focusing on the land or water alone can lead to errors of scale and to overlooking key natural character elements (integration across jurisdictional boundaries is discussed further at paragraph 9.60).
- Focus on the relevant area but also explain it in its broader context.
- Provide reasons to support the area identified.

9.18 The seaward extent of the coastal environment is the limit of territorial waters (12 nautical miles from the New Zealand mainland and islands). It includes the seabed and the marine environment (the sea).[217]

9.19 District plans often map the inland extent of the coastal environment. The following pointers are relevant in those instances where the inland extent has not already been identified.

- The coastal environment is the area in which coastal processes, influences or qualities are significant. Significant means major – more than a moderate influence or view.
- Identify the inland boundary with respect to the physical landscape characteristics. The coastal environment is an environment rather than a zone. Topographic features or obvious changes in the influence of coastal processes often provide a marker to the inland extent of the coastal environment (e.g. cliffs, ridge, inland extent of coastal vegetation, tidal influence, changes in land use caused by exposure to the coast). The leading ridgeline behind the coast has been used as a rule-of-thumb for the inland extent of the coastal environment. This may be sensible where there is an immediate relationship of ridge to coast but may not be relevant if the leading ridge is too far inland to define an environment in which coastal processes, influences or qualities are significant. In other places

the inland boundary can be blurred or indistinct because coastal influence diminishes gradually. Assessing the inland boundary is a matter of judgement, taking all factors together. As with all matters of judgement, justify with reasons (see also paragraphs 5.20 and 8.30 on a reasoned approach to boundaries).
- The extent should derive from the environment rather than potential effects.
- Consider the land and sea together when deciding on the inland boundary.
- The extent will vary from place to place. It has been said that the extent of the coastal environment is "...one of those theoretically difficult questions which will usually yield to the facts and a liberal dose of common sense."[218]

9.20 The following pointers are relevant when delineating the extent of the margins of lakes and rivers.[219]
- The word 'margin' suggests a relatively narrow area compared to 'environment'.
- While the Queen's Chain (20m) is sometimes referred to as a starting point, especially for streams, the High Country Rosehip Orchards decision says that "margins are likely to be areas beyond the wave action of a lake or extending away from the banks of a river for, depending on topography and other factors, at least 20–50 metres and sometimes more."[220]
- The margins should be determined with reference to the attributes and context of the lakes and rivers themselves.
- The extent is likely to be influenced by the size of the feature. For example, the margins of Taupō moana are likely to be wider than those of a small lake or tarn, the margins of a river may be wider than those of a stream.
- The margins are also likely to be influenced by topography (for instance, the sides of a gorge) and land use (for instance, the boundary between cultivation and natural riparian vegetation).

Assess natural characteristics and qualities

9.21 Assess the characteristics and qualities that contribute to natural character. NZCPS Policy 13(2) lists some examples. In summary, they include:
- Physical natural elements and processes including abiotic aspects (e.g. landform and water, hydrological processes, geomorphology, climate) and biotic aspects (flora and fauna, ecology).
- How they are perceived and experienced including how natural the area appears (how apparent or dominant the human structures or activities are) and how the area's natural aspects are experienced and appreciated (e.g. exposure to the sound of water, feel of coastal wind, smell of the sea, its aesthetic qualities such as areas that are wild and scenic).

218. 'Kaupokonui Beach Society' NZEnvC Decision No. W 030/2008, paragraph 37 (quoting a 1990 Planning Tribunal decision Hay v Banks Peninsula District Council).

219. It would be logically consistent for margins to also apply to wetlands, especially given that wetlands and lakes are part of a continuum, however the s6(a) punctuation means margins apply only to lakes and rivers. The recommended wording in the consultation draft of the Natural and Built Environment Bill would fix this apparent anomaly.

220. 'High Country Rosehip Orchards' [2011] NZEnvC 387, paragraph 140.

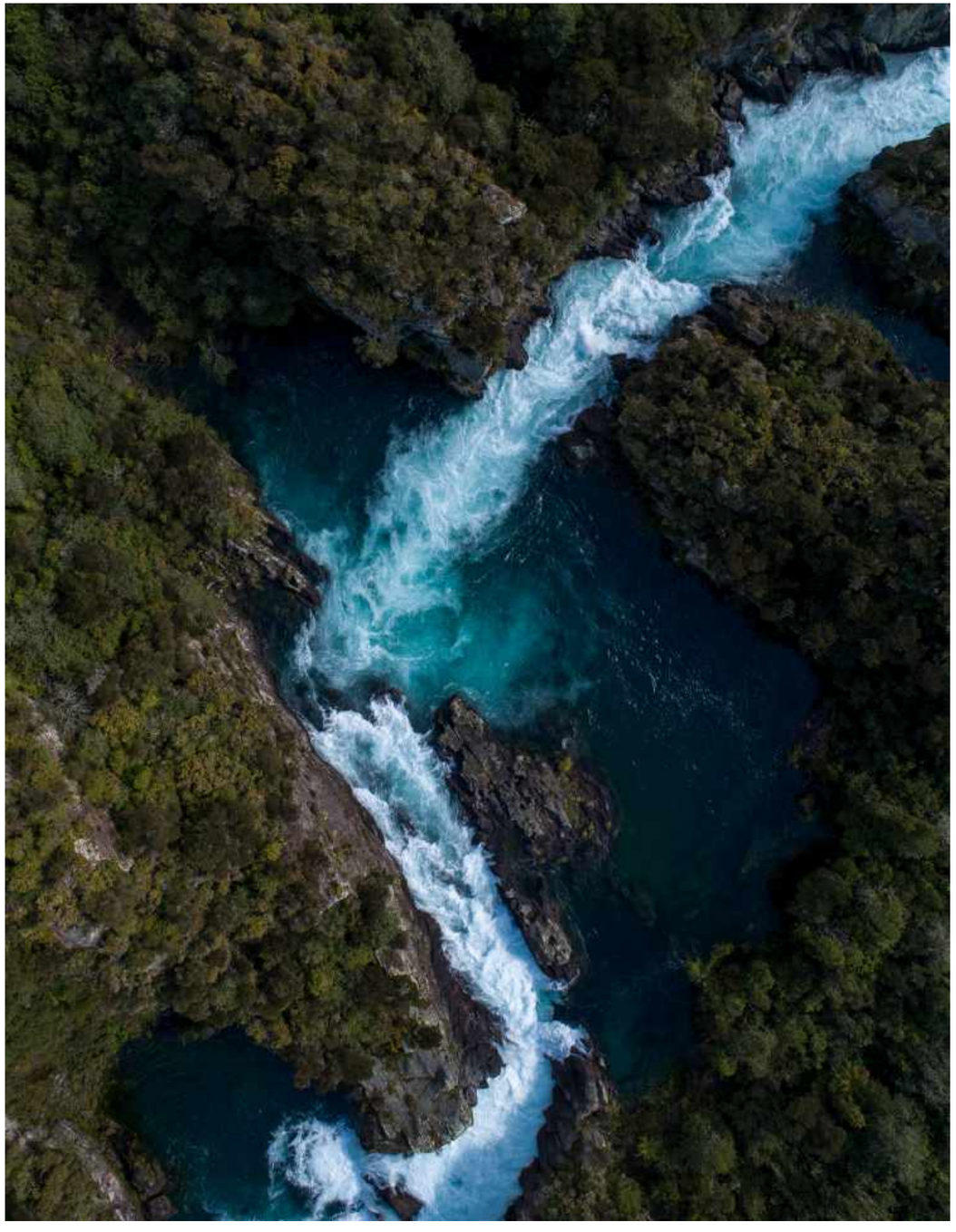
9.22 Assessment will require both desk-top research and field work.
- Desk-top research includes information[221] sourced from and/or supplied by experts in such fields as such as ecology (marine, freshwater, terrestrial), geomorphology, and coastal and freshwater processes.[222] It includes remote information (such as charts and reports on the marine environment) to understand the continuity between terrestrial and underwater landscapes. Interpret and integrate the information into an overall natural character assessment as one would when assessing landscape character.
- Field work includes assessing the natural characteristics and qualities including both the biophysical environment and perceptual/experiential attributes. Such assessment should be intelligent and informed by knowledge, not limited to superficial impression. For instance, the mere presence of vegetation or water and absence of structures is not a sufficient indication of an area's natural character. What might appear superficially natural might comprise modified natural elements (e.g. weeds or pests) and modified natural processes (e.g. drainage and land management).
- One characteristic of natural character is naturalness: the extent to which natural elements, patterns, and processes occur and the relative absence of buildings, infrastructure, and other human elements.[223] Assess naturalness against the 7-point scale (see paragraph 6.21), explaining the rating with reasons.

221. Such information may relate to the water itself, underwater topography, coastal or marginal flora and fauna, in-water flora and fauna, and coastal or freshwater processes.

222. Some natural character assessments may be undertaken by a team that includes specialists from different disciplines. In other instances it may be sufficient to rely on existing information.

223. Natural character is more than a measure of the extent to which an area has been modified from a pre-human state. It is an area's collective natural characteristics and qualities and how they are perceived—including how they are understood and experienced.

Above: Ngarunui Beach, Raglan
Image: Simon Button



Above: Aratiatia rapids, Taupō
Image: Petra Leary

224. See 'Clearwater Mussels' [2018] NZEnvC 88, paragraph 154."The determination of the natural character values of an area involves a high degree of evaluative judgment. That is both as to the nature and degree of the natural character values of the environment and how an activity affects those values. Natural character assessment properly commences with consideration of the biophysical status of the area in question. As looks can deceive, this enquiry is an important first step in order to understand the degree of naturalness of (or degree of human modification to) the relevant area. It is both a factual and science-focussed enquiry. 'Character' is a perceived value. Hence, once the degree of naturalness in the receiving environment is accurately gauged, the second step in a natural character assessment is to evaluate how people would sense and experience the naturalness of that environment".

9.23 'Trajectory' is a relevant characteristic: for instance, whether the area's natural character is increasing (e.g. regenerating former farmland) or decreasing (e.g. increasing sedimentation and decreasing water quality).

Interpret how the natural characteristics and qualities come together as natural character

9.24 Interpret how the natural characteristics and qualities come together as each area's distinct natural character. Natural character is the composite character of the area's natural characteristics and qualities. It is a whole that is greater than the sum of its parts.

9.25 The process of analysing the natural characteristics and qualities and interpreting how they come together as natural character resembles the process used to assess landscape character, except that natural character is concerned only with the natural characteristics and qualities.

9.26 Natural character is an outcome of physical environment and perception. Perception is influenced by what we know of an area's natural characteristics and qualities (including input from natural sciences) and how we experience them.

9.27 Integrate information from different disciplines to interpret overall natural character.

Evaluate and determine natural character

9.28 Evaluate the significance of the area's natural character[224] and determine the key natural characteristics and qualities, including the degree of naturalness. The significance of an area's natural character is influenced by setting and context. Have regard also to relevant statutory planning provisions and the purpose in undertaking an evaluation. As with all matters of judgement, explain the reasons.

9.29 Evaluate whether the area has outstanding natural character where relevant (see paragraphs 9.31–9.33 below).

9.30 Identifying the significance of an area's natural character, and its key natural characteristics and qualities (what might be termed its 'natural character values'), are important to managing natural character. For instance, such matters go to findings on effects and on what is appropriate subdivision, use and development.

Outstanding natural character

9.31 'Outstanding' is assumed to mean the same with respect to natural character as it does to natural features and landscapes. That is, it encapsulates both quality and relativity. It is a matter of reasoned

judgement. 'Outstanding' is a high threshold but does not mean 'the best' or 'uniquely superior'.
- It is not limited by quota: there are extensive lengths of coast in some parts of the country with outstanding natural character (for instance, Fiordland).
- On the other hand, it does not mean 'best of a poor choice': it may be that there are no areas of outstanding natural character in a district.
- Outstanding natural character should be reasonably obvious and compelling, particularly when the reasons are explained.

9.32 With reference to the interpretation of natural character at paragraph 9.04, 'outstanding natural character' means areas where the collective natural characteristics and qualities have outstanding significance or value. That is, it is a qualitative rather than a quantitative measure. It is a matter of reasoned judgement. It does not mean 'outstanding naturalness'—although a high degree of naturalness may very well be a key characteristic that contributes to an area's outstanding natural character.

9.33 Identifying areas of outstanding natural character has implications for management because of NZCPS Policy 13(1)(a) which is to avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character.

Recommend measures to manage natural character

9.34 It is worth remembering that the purpose of assessing natural character is to inform its management. That is, to preserve the natural character of the coastal environment, and of wetlands, lakes and rivers and their margins, and protect the natural character of those places from inappropriate subdivision, use and development.

9.35 That purpose applies to all such areas, not just those with a high degree of naturalness. An area's remnant natural character may be important even though it is highly modified.

9.36 Preserving and protecting natural character does not necessarily mean maintaining the status quo or avoiding subdivision, activities, and development. For instance, NZCPS Policy 14 promotes restoration or rehabilitation of natural character in the coastal environment.

225. As with landscape effects in general, such ratings of magnitude are one descriptor that help describe the effect on natural character. The rating is not the effect itself. The nature and degree of effect are to be considered together. See paragraph 6.20.

Assessing effects on natural character

9.37 Assessing effects on natural character is similar to assessing effects on landscape character, except the focus is on:
- the natural characteristics and qualities that contribute to natural character values
- appropriateness in terms of what is to be protected, which arises from the specific natural character of an area and the relevant statutory provisions (such as NZCPS Policy 13(1)(a) and (b), and regional and district policy statements/plans).

9.38 Assess the nature and magnitude of effect on the area's natural character. Describe the nature of the effect on the key natural characteristics and qualities, including the degree of naturalness. Rate the magnitude of such effects using the 7-point scale.[225] Provide reasons to justify the assessment.

9.39 Effects on natural character may be positive or adverse. As discussed above, these Guidelines promote improvement of such landscape values (positive effects) rather than simply maintaining the status quo or mitigating adverse effects.

Above: Herne Bay Coastline, Tāmaki Makaurau
Image: Rachel de Lambert

—Zaha Hadid (2006).
'I don't do nice',
in 'The Guardian'

'The beauty of the landscape—where sand, water, reeds, birds, buildings, and people all somehow flowed together—has never left me.'

Above: Te Puna o te Waihou/
Blue Spring, Putaruru, Waikato
Image: Sophie Fisher

226. 'Upper Clutha Tracks (Parkins Bay)' [2010] NZEnvC 432, paragraph 62 "But in the end we are wary of scales of 'naturalness' or 'natural character'. At the risk of being unduly repetitive 'natural' is a cultural construct rather than a scientific term. Chinese or Maori communities understand 'nature' and 'natural' in different ways to Europeans. These different cultural concepts are not readily placed on a simple scale". See also 'High Country Rosehip Orchards' [2011] NZEnvC 387, paragraph 93.

227. 'Harrison' [1994] NZRMA 193, paragraph 197.

228. 'WESI' [1999] NZEnvC Decision C32/99, paragraph 89.

229. 'Long Bay' [2008] NZEnvC Decision A78.2008, paragraph 135. The decision discusses natural character of coastal environment under landscape—see paragraph 106.

Additional notes

History of 'natural' and 'natural character'

9.40 'Natural character' originates from Western-derived concepts of nature and culture. It is a cultural construct.[226]

9.41 Concepts of natural character in Aotearoa have evolved over the years and will likely continue to evolve. Matters debated during this time include:

- the legitimacy of exotic vs indigenous nature
- evolution from concepts based on superficial impression to those based on perception informed by deeper understanding of natural elements and processes and how they are experienced
- the relative role of scientific vs perceptual/experiential approaches
- whether 'natural character' means an area's distinct combination of natural characteristics and qualities (specific character) or the degree of naturalness (generic condition).

9.42 The following paragraphs summarise some of this history of ideas.

Naturalness vs natural character

9.43 'Natural character' has often been conflated with 'naturalness', but they are not the same.

9.44 Discussions of 'naturalness' often quote the 'Harrison' decision. This approach relies on impression and a simple binary distinction between natural and human elements: farm pasture and domestic stock are natural, farm buildings are not.

> *The word "natural" does not necessarily equate with the word "pristine" except in so far as landscape in a pristine state is probably rarer and of more value than landscape in a natural state. The word "natural" is a word indicating a product of nature and can include such things as pasture, exotic tree species (pine), wildlife both wild and domestic and many other things of that ilk as opposed to manmade structures, roads, machinery etc.'*[227]

9.45 Such criteria were set out in the WESI decision[228] with respect to the naturalness of outstanding natural landscapes, and a slightly modified version was set out in the Long Bay decision with respect to the naturalness of the coastal environment:

- *relatively unmodified and legible physical landform and relief;*
- *the landscape being uncluttered by structures and/or obvious human influence;*
- *the presence of water (lake, river, sea);*
- *the presence of vegetation (especially native vegetation) and other ecological patterns.*[229]

9.46 The West Wind decision adopted similar criteria for naturalness with respect to the natural character of the coastal environment and added further criteria relating to expressiveness and context.

> *Natural character is generally understood to occur on a continuum from pristine to totally modified. The criteria for assessing naturalness include:*
> — *the physical landform and relief;*
> — *the landscape being uncluttered by structures and/or "obvious" human influences;*
> — *wildness, exposure and the natural sculpturing of landforms and vegetation;*
> — *the presence of water—in this case coastal seas and streams and wetlands;*
> — *the vegetation (especially native) and other ecological patterns;*
> — *the wider natural landscape context and the site's relationship to this context.*[230]

Indigenous vs exotic nature

9.47 Such interpretations were supported by research into New Zealanders' perceptions of naturalness by Fairweather and Swaffield.[231] They identified two paradigms that they termed 'wild nature' and 'cultured nature'. While the former (i.e. indigenous or endemic wilderness) is regarded as 'more natural', the latter is "more accepting of exotic vegetation and productive rural uses, but again shows a strong aversion to obvious signs of development and buildings in the landscape."[232] Such cultured nature aligns with the 'Harrison' definition quoted above. Cultured nature landscapes have been deemed sufficiently natural to be considered as ONLs. Fairweather and Swaffield's research also identified that plantation forests were perceived as relatively unnatural despite the trees being 'products of nature'.

NZCPS 1994

9.48 The NZCPS 1994 did not define natural character but contained policies indicating that the concept entailed a combination of characteristics. Specifically, Policy 1.1.3 (a)(iii) referred to "the collective characteristics which give the coastal environment its natural character ..." The policy lists such attributes of natural character as "landscapes, seascapes, and landforms; representative examples of each landform which provide the variety in each region; visually or scientifically significant geological features; wild and scenic areas; characteristics significant to Māori; and areas of historical or cultural significance."[233]

230. 'West Wind' [2007] NZEnvC Decision W031/2007, paragraph 157. (The criteria are referenced as having been agreed at a 2002 Ministry for the Environment natural character workshop).

231. Reported in Bronwyn Newton, John Fairweather and Simon Swaffield, Public perceptions of Natural Character in New Zealand: Wild Nature Versus Cultured Nature, New Zealand Geographer, 58 (2), 2002.

232. Evidence quoted in 'Long Bay' [2008] NZEnvC 78 paragraph 134. The decision goes on to observe: "In fact a 'cultured nature' landscape in terms of the Swaffield/Fairweather analysis is simply a 'natural' landscape in terms of Harrison, and a pristine landscape (where it can be found) must be a very natural landscape."

233. Policy 1.1.3 "It is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character of the coastal environment: "(a) landscapes, seascapes and landforms, including (i) significant representative examples of each landform which provide the variety in each region; (ii) visual or scientifically significant geological features; and (iii) the collective characteristics which give the coastal environment its natural character including wild and scenic areas; (b) characteristics of special spiritual, historical or cultural significant to Māori identified in accordance with tikanga Māori; and (c) significant places or areas of historic or cultural significance".

234. Ministry for the Environment, Environmental Performance Indicators for Natural Character workshop, 2002. Referred to in Department of Conservation, Natural Character and the NZCPS 2010, National Workshop – Summary of Discussion and Outcomes, 2 August 2011, page 19

235. This is easier to imagine in New Zealand compared to many other countries given that human settlement has been relatively recent on relatively isolated islands, and a distinction can be readily made between indigenous and introduced elements.

236. Froude, V.A. Quantitative methodology for measuring natural character in New Zealand's coastal environments, 2011, PhD thesis, University of Waikato, http://researchcommons.waikato.ac.nz/handle/10289/5919 (retrieved 18/06/2021).

237. Department of Conservation, Natural Character and the NZCPS 2010, National Workshop —Summary of Discussion and Outcomes, 2 August 2011, page 19

Degree of natural character (degree of modification)

9.49 On the other hand, the focus on degree of natural character as a generic parameter (or condition) reflecting the degree of modification is highlighted in the definition agreed by practitioners at a workshop convened by the Ministry for the Environment in 2002:[234]

> *Natural character is the term used to describe the natural elements of all coastal environments. The degree or level of natural character within an environment depends on:*
> — *The extent to which the natural elements, patterns and processes occur;*
> — *The nature and extent of modification to the ecosystems and landscape/seascape;*
> — *The highest degree of natural character (greatest naturalness) occurs where there is least modification.*

9.50 This definition indicates greater attention to natural processes compared with the 'Harrison' reliance on impressions alone. Rather than the absence of obvious human presence, this approach defines natural character as an outcome and expression of natural processes and the extent of modification from an implied benchmark (e.g. a pre-human state).[235]

9.51 QINCCE (Quantitative Index for measuring the Natural Character of the Coastal Environment) is an example of a method derived from such concepts.[236] It seeks to objectively quantify natural character by aggregating scores from various indices. The indices are designed to measure ecological, hydrological, and geomorphological naturalness, and freedom from buildings and structures. Natural character under this approach is thought of as the extent of biophysical naturalness and absence of human modification and presence.

NZCPS 2010

9.52 The NZCPS 2010 reinforced the importance of natural science aspects while at the same time highlighting that natural character is comprised of natural characteristics and qualities, and that natural character has a perceptual and experiential dimension. At a workshop convened by the Department of Conservation in 2011, the 2002 natural character definition quoted above was revised and explained as follows:[237]

Natural character is the term used to describe the natural elements of all coastal environments. The degree or level of natural character within an environment depends on:

1. *The extent to which the natural elements, patterns and processes occur*
2. *The nature and extent of modification to the ecosystems and landscape/seascape.*

The degree of natural character is highest where there is least modification.

The effect of different types of modification upon natural character varies with context and may be perceived differently by different parts of the community.

Footnote: For the purposes of interpreting the NZCPS 2010 Policy 13.2, 'elements, patterns and processes' means: biophysical, ecological, geological and geomorphological aspects; natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks; and the natural movement of water and sediment.

9.53 Environment Court decisions have noted that "naturalness is necessarily perceived",[238] that "character is a perceived value",[239] and that "... natural character is not an aspect that can be measured quantitatively, as an object. It must be assessed in terms of qualities, as well as elements, processes and patterns. In the case of natural character we are not addressing a scientific assessment..."[240]

9.54 The NZILA Best Practice Guide 2010 definition of natural character uses the term 'expression' which implies that natural character is perceived and that such perceptions flow from the natural elements, patterns, and processes.

> *Natural character is the expression of natural elements, patterns and processes in a landscape.*[241]

Characteristics and qualities

9.55 Objective 2 of the NZCPS 2010 is explicit: to recognise the "characteristics and qualities that contribute to natural character." Similarly, the description (in lieu of a definition) in Policy 13(2) lists a range of characteristics and qualities that contribute to natural character, including both physical and experiential attributes. The degree of modification, "a range of natural character from pristine to modified",[242] is just one list item. Nevertheless, the degree of modification, or naturalness, remains a key attribute.

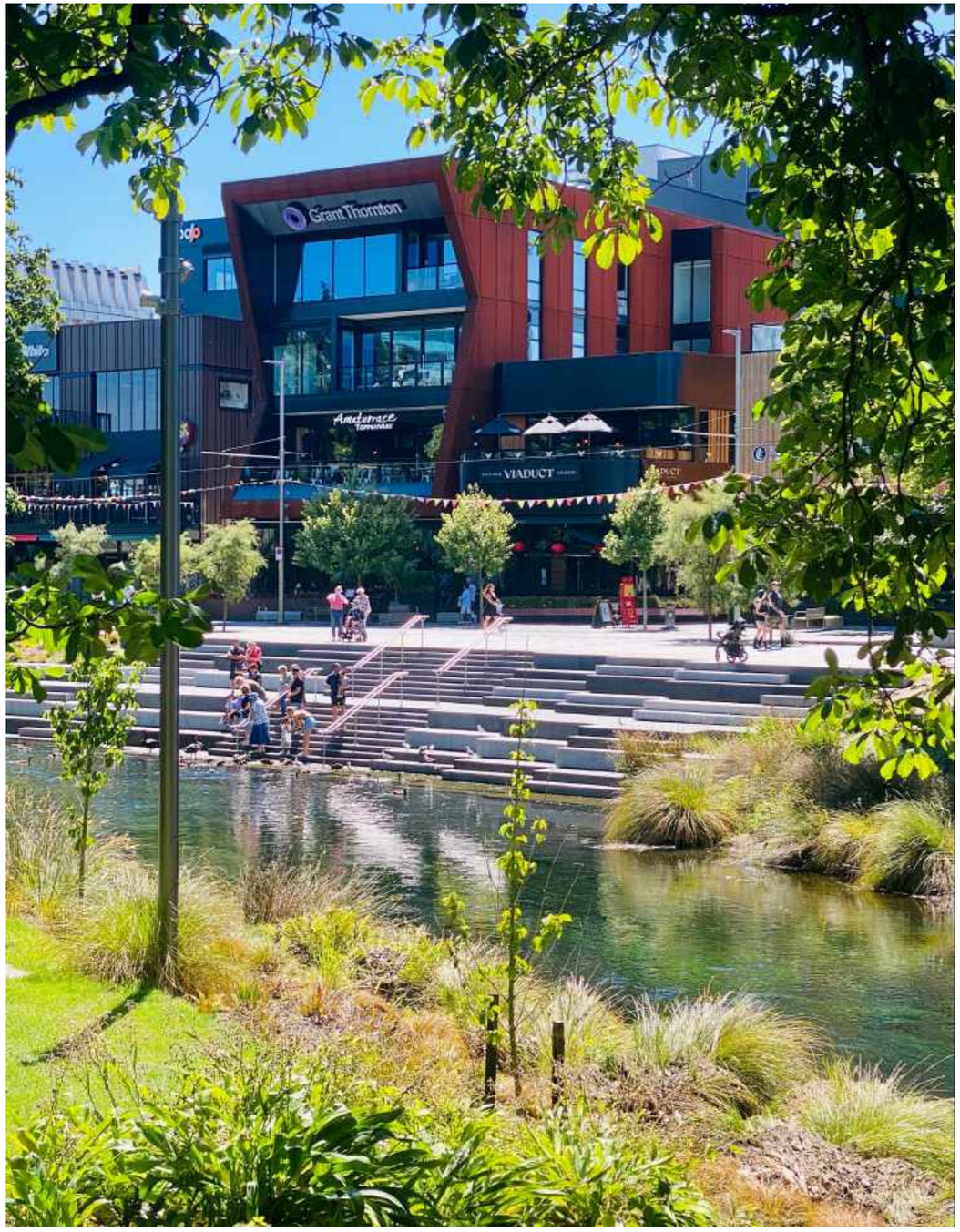
238. 'Matakana Island (2nd Decision)' [2019] NZEnvC 110, paragraph 50. As discussed above, these Guidelines adopt a broad definition of 'perception' as meaning more than superficial impression. Rather, perception is informed by what we know of an area's natural characteristics and qualities (including input from natural sciences) and how we experience and interpret them (see paragraph 9.26).

239. 'Clearwater Mussels' [2018] NZEnvC 88, paragraph 154

240. 'Bayswater Marina' [2009] NZEnvC Decision A18/09, paragraph 116.

241. New Zealand Institute of Landscape Architects, 'Best Practice Note 10.1, Landscape assessment and sustainable management. 2010, page 5.

242. NZCPS Policy 13(2) says that natural character includes a range from pristine to modified, not that natural character is the range or degree of modification.



Above: Ōtākaro/Avon River, Ōtautahi.
Image: Simon Button

Top: Karekare Beach
Image: Sophie Fisher
Below: Abel Tasman National Park–Awaroa Inlet
Image: Richard Denney

243. See 'Port Gore' [2012] NZEnvC 072, paragraph 132, which discusses these things as different categories.

244. Section 2 RMA. "Amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."

245. For example, natural landscape character, natural attributes, naturalness, natural values—depending on the intended meaning.

9.56 Current best practice is to integrate and interpret natural science and experiential aspects. The environmental context and purpose of the assessment influences whether the focus is on natural character as character (the collective expression of the area's natural characteristics and qualities) or on the condition of naturalness (degree of natural character).

Natural character is not the same as natural features and landscapes, or amenity values

9.57 NZCPS Policy 13(2) states that natural character is not the same as natural features and landscapes or amenity values. They are different categories of things:[243]

- Natural features and landscapes are places (or areas) while natural character is an aspect of such places or areas.
- Amenity values relate to pleasantness, aesthetic coherence, and cultural and recreational attributes,[244] whereas natural character is an overall character derived from natural characteristics and qualities. The former is a value, the latter a character type.
- Natural character in the context of s6(a) of the RMA is also focused on only certain parts of the landscape (i.e. the coastal environment, wetlands, and lakes and rivers and their margins).

Reserve the term 'natural character' to its applications under the RMA

9.58 While any landscape could be described in terms of its natural character, it assists clarity if the term is reserved for its specific RMA s6(a) application—the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins. There are straightforward alternatives for use in other situations that avoid unnecessary confusion.[245]

Consider land and water together

9.59 Each of the places in which natural character applies under s6(a) of the RMA relates to a water body (including the sea). Each place includes the land beneath the water (for example, the underwater topography, aquatic/marine biota, natural hydrological and marine processes), and the land or margins framing the water body. The central feature is the water body, but the land beneath and framing the water body is integral. A potential pitfall is to limit attention only to the land or the water body.

246. See 'Clearwater Mussels' [2018] NZEnvC 88, paragraph 192. "In reality, there are no such divisions [between land and sea] in how a person would typically perceive the natural character of the coastal environment. In terms of s6(a) RMA and related NZCPS, Sounds Plan and pEMP objectives and policies, 'the natural character of the coastal environment' is more properly to be assessed holistically."

Natural character straddles overlapping jurisdictions

9.60 The coastal environment and, therefore, the natural character of the coastal environment, straddles the overlapping jurisdictions between regional and local authorities. Regional councils have jurisdiction over the coastal marine area (CMA) below Mean High Water Springs (MHWS), and over wetlands, lakes and rivers—including those within the coastal environment. The jurisdictions for local authorities cover terrestrial areas landward of MWHS. Assessments for both regional or local authorities should consider natural character holistically (i.e. the adjacent land and sea together),[246] although management responsibility and focus will differ between authorities. NZCPS Policy 4 provides for integrated management in the coastal environment, and activities that affect the coastal environment, including across administrative boundaries.

Above: Te Miko, West Coast
Image: Stephen Brown

Above: Kaikoura Peninsula
Photo: Simon Button

A tree comes from one seed but bears many fruit

Kotahi te kākano, he nui ngā hua o te rākau

Whakarāpopototanga

Summary

Natural character has been interpreted as:
— an area's naturalness or degree of modification (a generic condition)
— an area's distinct combination of natural characteristics and qualities (specific character).

The Guidelines adopt the second of these interpretations, namely that natural character is the distinct combination of an area's natural characteristics and qualities, including degree of naturalness.

It is acknowledged that there is no certainty or universal agreement as to the correct interpretation. Assessors should therefore be clear in explaining the interpretation and method on which their assessment is based.

Methods for assessing natural character vary depending on purpose, context, and issues, but in general include the following:
— explain methodology
— identify the relevant area (its spatial extent)
— assess the natural characteristics and qualities of the area
— interpret how the characteristics and qualities come together to create the area's natural character
— evaluate and determine the natural character with respect to context and purpose, which may include: i) the significance of the area's natural character or ii) the key characteristics and qualities, including degree of naturalness, that embody such significance.

Land and water bodies should be considered together when assessing natural character in terms of s6(a) of the RMA.

Effects are assessed on the key characteristics and qualities that contribute to the area's natural character.

Tātaki

Quick Guides

10

247. See paragraph 2.09 and from paragraph 2.32.

248. The order might change to suit the situation. For instance, in some situations it may suit clarity to describe the proposal and statutory provisions before the existing landscape.

249. An assessment of landscape effects should be proportionate to the scale and significance of the effects that the proposal may have on the landscape, as set out in RMA Schedule 4 (2)(3)(c). (see paragraph 6.10).

250. An executive summary may not be warranted for a memo or short report. See commentary on Executive Summary below.

Assessment of landscape and visual effects

The following is an example of a typical report structure and a brief guide to carrying out an assessment of landscape and visual effects of a proposed activity for a resource consent application. It is an example of a proposal-driven assessment where the proposal, location, and statutory planning provisions are known.

This quick guide is not a template. It is to be read in conjunction with the concepts, principles, and approaches described in the Guidelines which take precedence. Tailor the report structure and method in response to the context, purpose, and policy issues relevant to the assessment as outlined in Chapter 2.[247] Unthinking adherence to templates, repetitive use of previous methods, and copying formats of other assessments, are all causes of poor landscape assessment. Rely on a transparent and reasoned approach instead.

Assessment formats

An assessment of landscape and visual effects for a resource consent application might comprise the following structure.[248] Such a structure echoes typical formats for an assessment of environmental effects (refer to Schedule 4 of the RMA):[249]

- executive summary[250]
- introduction
- methodology
- existing landscape
- proposal
- statutory provisions
- issues (the relevant matters having regard to the context, nature of the proposal/potential effects, and the statutory planning provisions, including any other matters)
- landscape effects (including visual effects)
- recommendations
- conclusion (overall landscape effects).

Introduction

Introduce the situation and purpose of the report. A typical introduction might comprise:

- a brief outline of the situation (for example, an application for a resource consent for a certain activity at a specified location)
- the client who engaged you, your role, and the project team and collaborators
- the purpose of the assessment (for example, to assess the landscape and visual effects, with reference to any special matter such as effects on natural character of the coastal environment).

251. See paragraphs 2.32–2.38 with respect to methodology and method.

252. Consideration should be given as to the appropriate time and situation for site surveys, which should be described in the methodology where relevant.

253. See paragraph 7.03–7.10 with respect to an integrated approach to assessment and design to help avoid potential adverse effects and realise positive effects.

Methodology

Outline the methodology. Your statement may say that it follows the concepts and principles outlined in 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines' and then go on to outline the details of the method tailored for the assessment—having regard to the proposal, context, and relevant provisions.[251]

For a simple project, the methodology statement may be limited to a couple of paragraphs. The first would explain consistency with Te Tangi a te Manu as noted above. The second might be a bullet-point list of tasks, for example:

- desk-top research
- site surveys[252]
- engagement with tāngata whenua
- a review of the provisions (i.e. list the plans and policy statements)
- an assessment of certain matters (i.e. list the key matters)
- use of certain techniques or tools (e.g. photo simulations, inventories)
- consideration of measures to avoid, remedy, and mitigate potential adverse effects, and to promote positive effects.

A more detailed methodology statement is warranted for complex projects. In those situations, it will assist succinctness to attach the methodology statement as an appendix and include just a summary in the body of the report.

Proposal

Outline the proposal, highlighting those aspects pertinent to explaining potential landscape effects.

The clearest and most succinct approach may be to: i) introduce the proposal, ii) refer readers to the 'official' project description and set of plans/drawings (normally appended to the AEE), and iii) summarise those components most pertinent to landscape matters. The project description in the AEE should be the authoritative version. The purpose of the project description in a landscape assessment, on the other hand, is to help decision-makers (and others) understand the landscape matters.

Explain (if you are part of the application team) the design aspects incorporated into the project to avoid potential adverse landscape effects and to achieve positive landscape effects. Examples of such aspects include selection of a favourable site or route, configuration of the project to the site, and design elements incorporated into the proposal.[253]

254. See paragraphs 2.26–2.28.

255. See paragraph 2.29 for an explanation of "other matters

Relevant statutory provisions

Review and summarise the provisions relevant to landscape matters. Such provisions may comprise:

- objectives and policies pertaining to landscape matters
- development standards that the proposal may breach (and those relevant standards complied with)
- activity status (and the relevant tests) including matters to which discretion has been reserved in the case of restricted discretionary activities
- criteria listed in the provisions (relevant to the activity status) against which to assess effects.

The purpose of reviewing the provisions is to frame the landscape assessment in a way that best assists the decision-maker (and others). Include a statement along the following lines: 'The purpose of reviewing the provisions is to help frame the landscape assessment. It is not to undertake a planning assessment of the proposal against the provisions.'

For succinctness, set out the relevant provisions in an appendix and summarise only those provisions most pertinent to the landscape matters in the body of the report. Check the review with the planner or lawyer involved with the project.

Check the list of statutory documents.[254] In many instances the lower order documents (such as the district plan) will be key because they give effect to the higher order documents. However, the higher order documents may also be relevant in certain instances. These include national policy statements on certain topics such as urban development, freshwater management, indigenous biodiversity, renewable energy generation, and electricity transmission. If an area is within the coastal environment the provisions of the New Zealand Coastal Policy Statement (NZCPS) will be essential. In some instances it may be relevant to refer to Part 2 matters, such as s6(b) relating to outstanding natural features and landscapes. However, ordinarily such matters will have been given effect to in the lower order documents which practitioners should refer to first.

Include "other matters"[255] where it is relevant to help frame the assessment.

256. See paragraphs 5.15–5.17 on identifying the relevant landscape.

Existing landscape

Identify the relevant landscape - its spatial extent and context. Relevance means the landscape that enables the effects of the proposal to be best understood.[256] It is not about precise delineation or boundaries. It is thinking about the appropriate scale and context against which to assess effects. This exercise is also iterative. It is normal to revise your assessment as you refine your thoughts and understanding in carrying out the work. For example, it may become evident that the relevant landscape is broader or narrower as you carry out your assessment.

Describe and interpret the character and values in line with the principles in Chapter 5. Focus on the relevant area and outline its place in the wider context. Focus on pertinent values and attributes.It is never possible to record everything there is to know about a place. A professional skill is selecting and interpreting those attributes and values pertinent to understanding potential effects. Such description will, of course, include

257. See paragraphs 5.35–5.37. It will never be possible to record everything there is to know about a landscape, nor would that be helpful.

information for context. But the purpose is to understand effects. Do not labour irrelevant matters or demonstrate all that you know about a place. Ask yourself whether the description of the existing landscape will assist the decision-makers (and others) to understand and interpret the effects of the proposal. Question the relevance of what you have documented, rather than putting down everything you know or found out.[257]

Sub-headings in this section of the assessment should reflect both the context and the resource management issues. Do not use standard sub-headings or a checklist of factors which would likely indicate that: i) you are following a template rather than focusing on the relevant matters, and ii) you are not properly interpreting the landscape in an integrated way.

Above: Queens Wharf and
Michael Parakōwhai sculpture
Tū Whenua-a-Kura/The Lighthouse 2017
Image: Stephen Brown

Issues

List the issues to help frame the assessment of landscape and visual effects. The issues arise from the landscape values, the potential effects of the proposal on landscape values, and the relevant planning framework (including any other matters). The issues will be unique to each assessment. Issues might be, for example:

- the nature of the area's amenity values
- effects on the area's amenity values
- whether the proposal is or isn't in the coastal environment
- effects on the natural character of the coastal environment
- whether the proposal is subject to statutory provisions such as overlays for ONF, ONL, significant ecological area (SEA), special character areas, special viewshafts
- effects with respect to a particular set of district plan criteria for a restricted discretionary activity (e.g. criteria relating to streetscape quality, or rural character)
- effects of breaches of development standards (such as height, height in relation to boundary etc)
- whether the effects of a non-complying activity are more than minor.

Landscape effects

Describe the nature and magnitude of effects in keeping with the principles in Chapter 6. Effects are consequences for landscape values of changes to the landscape's physical attributes. The values are embodied in certain physical attributes. For example:

- reduction in rural character values because development is out-of-keeping with characteristic rural activity type, ratio of open space to buildings, coherence with natural topography etc.
- enhancement of natural values because of stream bank revegetation that connects areas of natural vegetation, fencing and pest control
- maintenance of an urban area's amenity values because of coherent building height, bulk, grain, appearance, typology etc.
- enhancement of a cultural landscape's values because physical access and sightlines between related sites are protected
- reduction of an area's natural wilderness values because of inappropriate structures and activities.

Tailor the sub-headings under this section (as in other parts of the assessment) to the situation. For example, you might tailor the subheadings to the issues you have already outlined.

Describe both the nature and magnitude of effect. Use the 7-point scale at paragraph 6.21 to describe magnitude. Remember that magnitude is only one descriptor to help explain the effect. Magnitude is not the effect. First describe the nature of the effect, then describe its magnitude, and then provide reasons.[258]

258. See paragraph 6.20 on the importance of describing the nature of the effect as well as its magnitude, and on providing reasons to justify the assessment.

259. Note that a project's different effects may occur at different spatial scales (see paragraph 6.15). For example, a tall building may have immediate effects on streetscape and wider effects on cityscape.

260. See paragraphs 6.08–6.09 on 'what are visual effects' (a subset of landscape effects) and paragraphs 6.25–6.27 on assessing visual effects.

261. See paragraphs 6.54–6.56 on the uses and pitfalls of potential visibility diagrams.

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Be aware of the following pitfalls:

- Over compartmentalising landscape effects. Landscape values often arise from the interplay of physical, associative, and perceptual attributes. Interpret effects in the same way.
- Not identifying the relevant landscape. If not assessed at the appropriate spatial scale and context, the effects could be diluted across too broad an area or concentrated on an unreasonably narrow area.[259]
- Conflating change with effects. Landscape management is not based on maintaining the status quo except in some situations. Focus on effects on landscape values—not landscape change.
- Overlooking positive landscape effects. The definition of effect includes positive effects, and decision makers have regard to positive effects in addition to adverse effects. It is important that the nature and magnitude of positive effects be included in an assessment.
- Overlooking potential values. Achieving environmental improvement is important in addition to avoiding, remedying, and mitigating adverse effects. As well as maintaining existing values, look to potential improvements in landscape values.
- Overlooking specific statutory context—for example, not checking if the site is in the coastal environment and therefore covered by the NZCPS.
- Overlooking the anticipated outcomes and other relevant provisions in the statutory documents. Plans often envisage substantial change, especially for urban areas where intensification and a different urban form might be sought.

Visual effects

Undertake an assessment of visual effects—the effects on landscape values as experienced in views.[260] The common method is to:

- identify the 'visual catchment' (where the proposal will be seen from)
- identify typical 'audiences' (who will see the proposal)
- describe the nature and degree of effects on landscape values in views from certain viewpoints (e.g. affected properties, representative public viewpoints).

Describe the visual catchment. ZTV diagrams and maps of visual catchment may be useful in some situations. The point of such analysis is to help identify the spatial extent of visibility. Use judgement as to whether such analysis will be useful in understanding effects. Often the locations from which visual effects will be experienced are close to a proposal and obvious. Effects are likely to be least near the margins of visibility. Deciphering such margins may therefore not be useful. Determining actual visibility will also require field work to ground-truth desk-top analysis.[261] Remember that seeing an object does not in itself constitute an adverse effect.

Describe the groups of people associated with the area from where the proposal will be seen—the 'audiences' or potentially affected people. For instance, people living on properties in the area, passers-by on roads, users of a beach, residents of settlements. While it was previously common to assign a sensitivity rating to audience types (e.g. residents as more sensitive than passers-by), it is better to simply describe the audience. Residents, for example, are likely to cover a range of sensitivities to certain activities and they are better placed to describe that themselves. Likewise, 'sensitivity' depends on the relationship between the person and the proposal and the context (a passer-by may be very sensitive to adverse effects on the heritage character of their own town centre but not be sensitive at all to effects on a nearby retail strip, for example).

Select viewpoints to represent places the proposal will typically be seen from.

- Consideration of private views typically focuses on views from houses, although it is worth acknowledging that people may also enjoy views from other parts of their property. A common technique is to interpolate effects based on a combination of desk top analysis and observations from public places (such as road-side). Be clear in explaining this if this is the method used. Such assessments are often tabulated for individual properties or groups of properties.
- Public views will typically be from roads/footpaths, key intersections, and other public places such as parks, walkways, town squares.
- Selection of viewpoints requires judgement, remembering that the purpose is to describe the visual effects spatially. For substantial applications it is helpful to agree a common set of representative viewpoints with other landscape assessors involved with the project (such as a council peer reviewer). Remember that representative viewpoints are just that—views and effects are not limited to those locations. On the other hand, such viewpoints are often selected to illustrate where the greatest effects will be experienced. It is necessary to use judgement and provide reasons when interpreting representative viewpoints and coming to a finding on the visual effects. Do not use averaged scores from such viewpoints as an overall measure of effect. Such an approach is misleading because the score would be a product of viewpoint selection rather than overall effect.

Describe the nature and degree of effect from each viewpoint. Remember that visual effects are a subset of landscape effects—they are effects on landscape values as experienced in views. They are one method to help understand landscape effects. It may be helpful to approach this exercise as a combination of: i) the extent to which something contributes to or detracts from landscape value, and ii) the visual dominance/prominence based on certain parameters.

Above: Photo simulation examples
Summerset Parnell, Tāmaki Makaurau
Image: Boffa Miskell

Top: Lake Ōkataina
Image: Simon Button
Below: Crail Bay, Marlborough
Image: David Irvine

262. Dominance is a measure of scale—the extent to which a landscape is subsumed by something, while prominence is a measure of its contrast with the surroundings.

263. See the section on conditions paragraphs 7.11–7.13.

- For example, a development that is in keeping with the landscape character may have no adverse effects on landscape values even if it is highly visible and a noticeable change to the view. Conversely, a development that is completely out of place with the values of a landscape may have a significant adverse effect even though it may occupy only a relatively small portion of a view. Focus on effect, not change.
- Parameters influencing dominance and prominence[262] include, but are not limited to: distance, orientation to viewpoint, extent of view occupied, backdrop, perspective depth (complexity of the intervening foreground and middle ground) and nature of the viewpoint (such as its context, type, and significance).

As with landscape effects, visual effects relate to landscape values. Visibility and change are not effects in and of themselves.

Recommendations

In addition to the measures that are integral to the proposal, and described earlier, explain the subsequent measures recommended to remedy or mitigate (reduce) residual adverse effects. Describe such remediation and mitigation following the assessment of effects and explain the extent to which the measures would address those effects (i.e. what the effects would be without and with mitigation—it should be clear the extent to which your conclusions rely on such measures).

Explain also, the subsequent measures recommended to remedy or mitigate (reduce) residual adverse effects. Describe such remediation and mitigation following the assessment of effects and explain the extent to which the measures would mitigate the effects (i.e. what the effects would be without and with mitigation).

Recommend conditions to ensure the design and mitigation measures are carried out as intended. Explain the reason for the conditions, the outcomes intended, and the required action. Conditions are not construction specifications though. Their purpose is to achieve resource management outcomes. Focus on specifying those outcomes in a way that they can be measured and enforced. Take care to write effective conditions: poor conditions are often the weak link in achieving the outcomes described in assessments.[263]

Conclusion

Reach an overall professional opinion on the landscape effects generated by the proposal. Weigh the individual effects together in the context of the landscape values and statutory provisions. Make a professional assessment on the extent to which they are acceptable in terms of landscape values—including those landscape values anticipated by the provisions. As with all professional opinions, explain with reasons.

264. Typically not more than one page.

Executive summary

Finally, write the executive summary which is added to the front of your report. Such summaries are warranted on all but brief reports and memos. As a guide, a report over 20 pages is likely to warrant an executive summary.

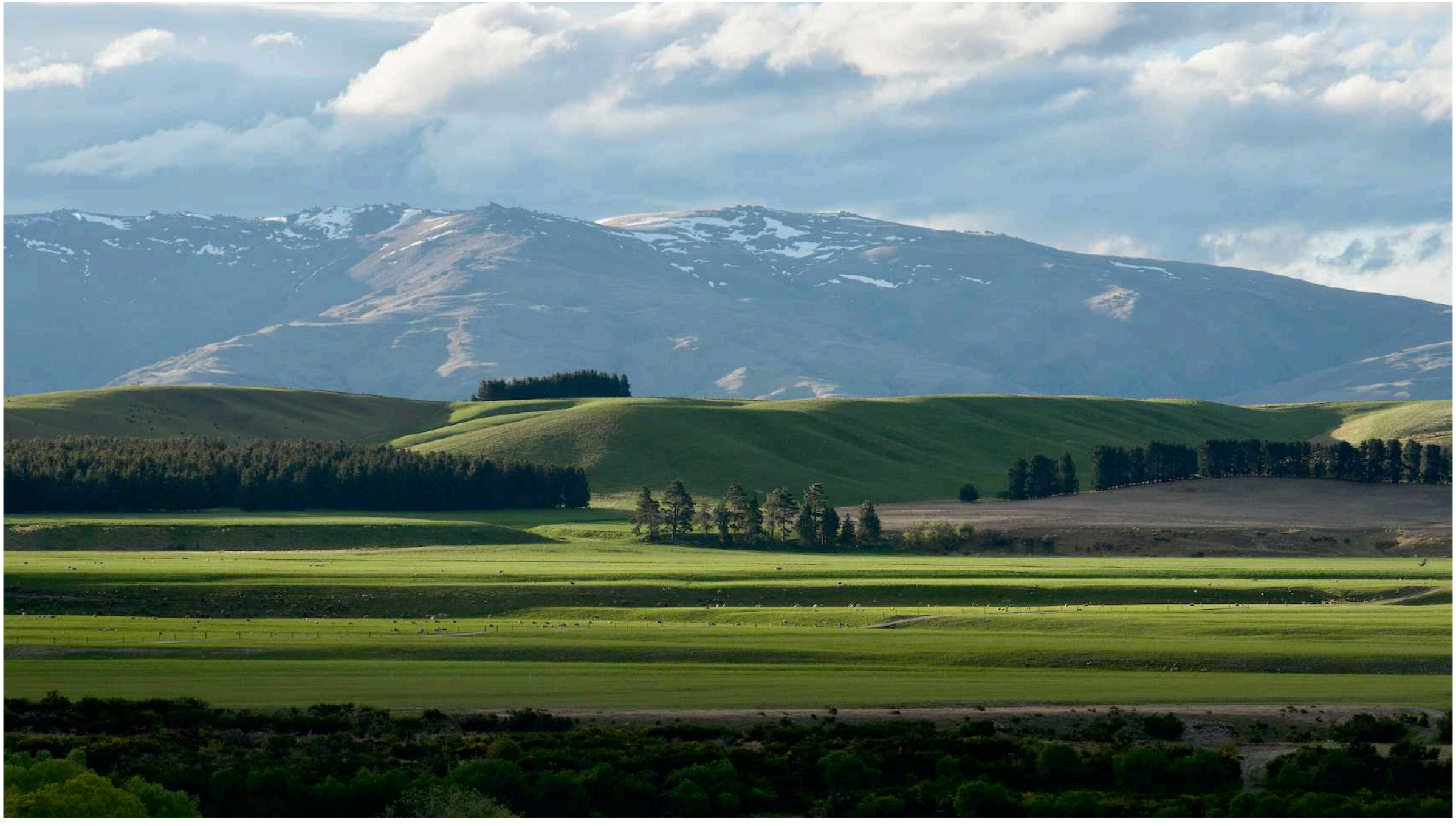
The conclusion and executive summary differ:

- The conclusion is a short[264] overall finding with the principal reasons.
- The executive summary is the key points of each section of the assessment (i.e. the key points of the: i) existing landscape values, ii) issues, iii) landscape and visual effects, iv) design measures/ mitigation, and v) conclusion). One technique is to include a summary at the end of each section and gather these into the executive summary.

—Nadine Anne Hura (2018). 'The ever-shining star of Nuhaka' in 'The Spinoff'

'There is a way of looking where, if you're not paying attention, you won't see anything at all'

Above: Mokotahi Lookout, Mahia Peninsula
Image: Sophie Fisher



Above: Manuherikia Valley, Otākou/Otago
Image: Richard Denney

265. See paragraphs 2.09–2.12 and paragraphs 2.32–2.38.

266. See paragraphs 5.31–5.34 on tailoring criteria to suit the project's purpose, and the potential pitfalls of criteria.

Area-based landscape assessment

The following is an example of a typical report structure and a brief guide to assessing the landscape resource of an area. It is an example of a policy-driven assessment. Such assessments are usually carried out at a district or regional scale for a variety of resource management policy purposes.

A common brief, for example, is to identify the landscape resource of an area (its character and values) including any outstanding natural features and landscapes (ONF/ONL) and other significant landscapes. Such a brief will require the landscape assessor to assess landscape character and values (Chapter 5), anticipate potential future effects on landscape values (Chapter 6), recommend policy measures to manage landscape values (Chapter 7), and make specific assessments of ONF/ONLs (Chapter 8).

This quick guide is not a template. It is to be read in conjunction with the concepts, principles, and approaches described in the Guidelines and which take precedence. Tailor the report structure and method in response to the context, purpose, and policy issues relevant to the assessment as outlined in Chapter 2.[265] Unthinking adherence to templates, repetitive use of previous methods, and copying formats of other assessments, are all causes of poor landscape assessment. Rely on a transparent and reasoned approach instead.

Assessment formats

A regional or district landscape assessment might comprise the following structure:
- introduction
- methodology
- regional (or district) landscape character and values
- evaluation of regional (or district) landscapes including outstanding natural features and landscapes, and other significant landscapes
- managing the landscape values (managing the landscape resource).

Introduction

A typical introduction might comprise:
- the purpose for carrying out a regional or district-wide review (e.g. to understand and document the district's landscapes, and to identify ONF/ONLs and other significant landscapes)
- explanation of the concept of 'landscape' (see chapter 4), and what is considered when assessing a landscape's character and values. It may include explanation of any criteria that have been tailored to suit the project's purpose.[266]

— the plan or policy statement preparation process—especially public input to the process—and sections of the RMA most relevant to landscape matters.[267] [268]

A policy–driven assessment is likely to have a wider audience and input than proposal-based assessments. Therefore, it is even more important to explain 'landscape' in language accessible to lay people.

Methodology

To improve readability and flow of area-based landscape studies (given their wider audience), append the technical methodology statement and write only a succinct and plain language summary in the body of the report.

The methodology statement may state that the approach adopted is consistent with the landscape concepts and principles set out in 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines' and then explain the method tailored to the region or district and the purpose of the assessment (see paragraphs 2.32–2.41). The method might list such matters as:

— the method and matters covered in the desk-top research and field work
— collaboration with tāngata whenua
— consultation with the community and stakeholders.

Collaboration with tāngata whenua is necessary to fully assess the landscape of a region or district. Such assessment may be carried out parallel to (and cross referenced with) separate assessments undertaken by tāngata whenua with respect to other RMA provisions such as s6(e)—the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.[269]

Consultation with the wider community is also essential but there are different ways in which it might be undertaken. Such methods may include, for example: the use of stakeholder workshops, community charettes, co-design, online tools, public meetings, and formal submissions. Communities may be engaged in preparing the assessment or, alternatively, a draft assessment may be carried out first as a tool for engagement with communities.

The method may include collaboration with a geoscience specialist with a view to identifying ONFs with geoheritage values (see paragraphs 8.13–8.14).

267. The sections of the RMA most relevant to these types of assessment are likely to be s7(c) and s7(f)—the maintenance and enhancement of the quality of the environment including amenity values; s6(b)—the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development; and s5—the promotion of sustainable management of natural and physical resources, and the meaning of sustainable management set out in s5(2). In addition, s32 is especially relevant to the plan preparation process itself.

268. Such provisions will change with the new resource management legislation. For example, the consultation draft of the Natural and Built Environments Bill section 8 would require that the national planning framework and all plans must promote (amongst other things) the following environmental outcomes (c) outstanding natural features and landscapes are protected, restored, or Improved, (e) in respect of the coast, lakes, rivers, wetlands, and their margins,—(i) public access to and along them is protected or enhanced; and (ii) their natural character is preserved, (h) cultural heritage, including cultural landscapes, is identified, protected, and sustained through active management that is proportionate to its cultural values.

269. This provision will change under the new resource management legislation. The consultation draft of the Natural and Built Environments Bill, for example, would require that the national planning framework and all plans must promote (amongst other things) the following environmental outcomes "(f) the relationship of iwi and hapū, and their tikanga and traditions, with their ancestral lands, water, sites, wāhi tapu, and other taonga is restored and protected. Outcomes also include (g) the mana and mauri of the natural environment are protected and restored, and (h) cultural heritage, including cultural landscapes, is identified, protected, and sustained through active management that is proportionate to its cultural values."

270. Sometimes referred to as 'landscape characterisation'

271. See paragraphs 5.23–5.24.

272. See paragraphs 5.18–5.20 with respect to mapping landscape boundaries. See paragraphs 8.24 and 9.17 with respect to mapping boundaries of ONF/ONLs, the coastal environment, and the margins of lakes and rivers.

Assessment of landscape character

Analyse, describe, and interpret landscape character[270] in line with the concepts and principles outlined in Chapters 4 and 5 of the Guidelines. Typical methods include: i) explaining the story of the region or district's whole landscape, ii) analysing the components, and iii) mapping the region/district into distinct landscape character areas.

— Analyse and describe the whole regional or district landscape. This exercise will analyse each of the landscape dimensions: physical, associative, and perceptual. For example, it will likely include a description of landforms in terms of their formative geological and geomorphological processes; vegetation and ecological patterns; and the history of land use, settlement, and modification. It will address narratives associated with the area and with specific features. It will analyse the perceptual and experiential qualities. This exercise may be done as layers (reflecting the dimensions and typical factors listed in paragraph 4.29 for example), or as themes, or through other approaches. The methodology statement should explain the method used. Draw on a wide variety of sources.[271]
— Interpret how the landscape components come together as character—the combination of landscape attributes (characteristics and qualities) that makes the region/district distinct. Provide an historical explanation of the landscape's nature and the relationship of people with it.
— Map the region/district into distinct landscapes or landscape character areas. A hierarchical model may be used (similar to a genus-species approach) where the region/district is divided into high-level landscape character types, each of which contains different landscape character areas and landscapes.[272]

Evaluation of landscape values

Evaluate the landscape values for each landscape character area or landscape (the reasons the area is valued, including potential value) and describe the physical attributes on which such landscape values depend (the attributes that embody the values). In practice, this will typically be done in an iterative way in conjunction with assessing the character of an area. As described at paragraph 5.28, interpretation of a landscape's character will point to its values and evaluation of a landscape's values will point to the attributes on which those values depend.

The purpose of identifying the values and attributes of the whole region/district is to: i) provide the context for evaluating outstanding natural features and landscapes (and other significant landscapes), and ii) inform the management of the whole landscape resource rather than just a few special places.

273. See paragraphs 8.24–8.25 with respect to considerations when mapping boundaries.

274. See paragraphs 4.41–4.48 on different landscape types.

275. As noted above, significant landscapes may include special landscape character areas, urban precincts, designed landscapes, cultural landscapes.

276. See paragraph 2.29 for explanation of “other matters”.

Evaluation of outstanding natural features and landscapes

Identify and evaluate potential outstanding natural features and landscapes as outlined in Chapter 8. Such evaluation is typically carried out as a separate step after assessing the character and values of the whole landscape resource.

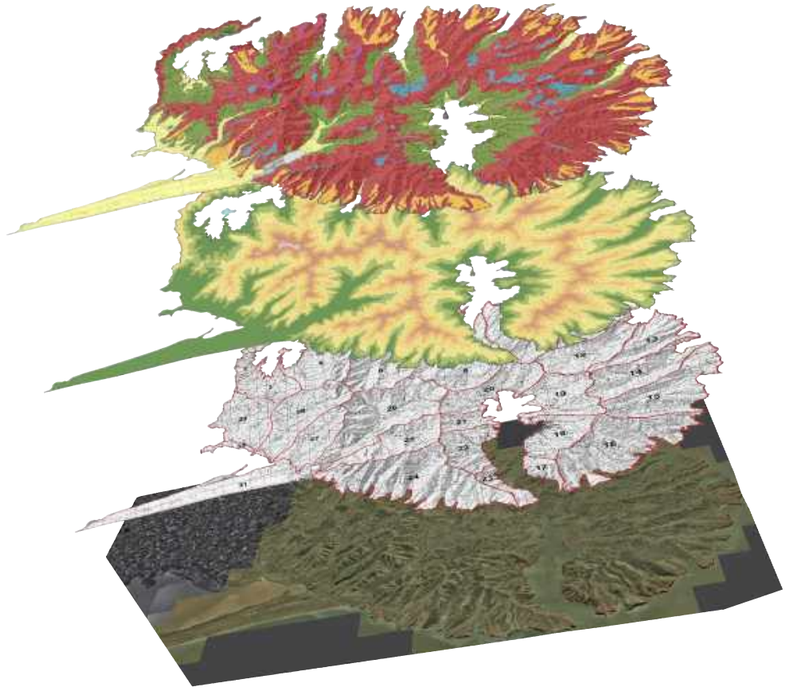
- Identify potential ONF/ONL ‘candidates’. Such natural features and natural landscapes will emerge from the regional and district character assessment. Identify a sufficiently broad selection of candidates to ensure all potential ONF/ONLs are captured (this will likely mean some candidates will not ultimately be considered outstanding).
- Describe the character and values of each candidate natural feature and natural landscape, drawing on the character and values of the context.
- Delineate the extent of each candidate outstanding natural feature or outstanding natural landscape, ensuring legible boundaries coherent with the landscape.[273]
- Confirm that the candidate is sufficiently natural to qualify as a natural feature or natural landscape.
- Evaluate whether the candidate is outstanding (see paragraphs 8.05–8.08 and 8.20–8.23). Provide reasons with reference to landscape character and values. Confirm and map the spatial extent.

Evaluate other special or significant landscapes. These include landscapes that are significant but not outstanding, and modified landscapes that may be significant but are not sufficiently natural to be considered natural landscapes. They may include special urban precincts, special rural landscapes, designed landscapes, and cultural landscapes made up of a network of elements within a broader landscape.[274]

Management of the landscape resource

Key tools for policy–driven assessments to manage landscape values include planning provisions and non-statutory policy documents.

- Statutory planning provisions include the objectives, policies, rules, and criteria that become part of regional policy statements/ plans and district plans. Potential tools include, for example: i) identification of special areas such as ONFs, ONLs, and other significant landscapes,[275] ii) input to objectives and policies for zones and overlays, iii) input to subdivision rules, activity status, development standards, and land use rules, iv) criteria against which applications for resource consent applications are considered.
- Non-statutory provisions include: i) landscape character studies on the landscape resource, ii) guidelines, iii) management plans. Such non-statutory provisions might be considered in resource consent hearings as “other matters”.[276]



Above: Landscape Layers, Banks Peninsula Study
Diagram: Boffa Miskell

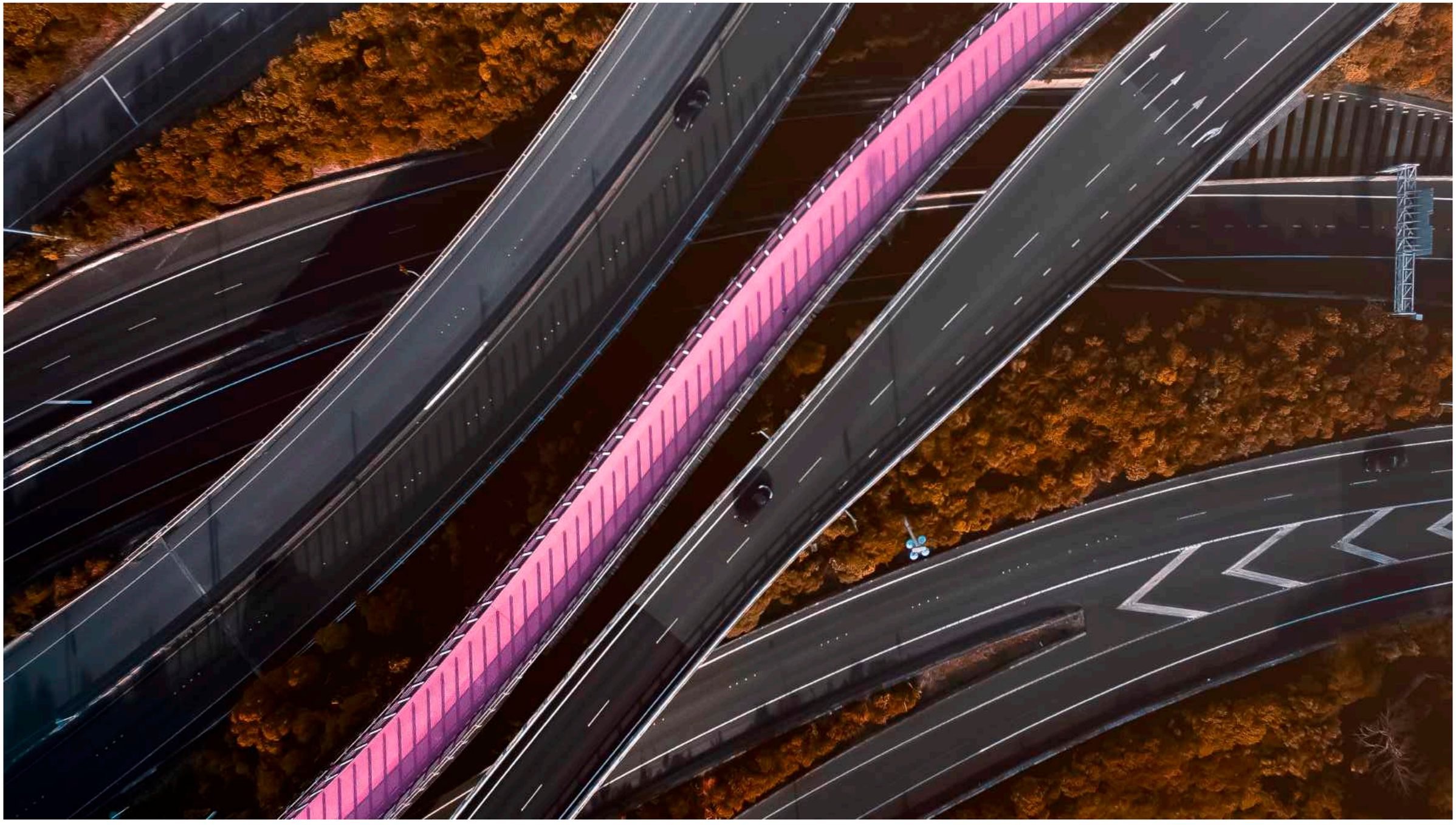
Statutory planning provisions will go through a plan preparation process which has specific RMA requirements including the process set out in Schedule 1 and the requirement to consider the proposed provisions in a strategic way as set out in s32.

Recommended measures should relate to the identified values and attributes. For example, RMA s6(b) requires protection of outstanding natural features and landscapes from inappropriate subdivision, use and development. Inappropriateness is gauged in terms of the landscape values that are to be protected. Therefore, identify the values and recommend management measures to protect the physical attributes on which such values depend (for example, restrictive activity status for certain activities and criteria against which to assess applications).

Other landscapes (e.g. 'significant' or 'special' landscapes, and 'ordinary' landscape character areas) are managed under different policy provisions typically contained in regional and district plans/ policy statements to give effect to s7(c) and s7(f)—i.e. to maintain and enhance the quality of the environment including amenity values.

Landscape management can be an effective tool to manage multiple outcomes because the concept of landscape integrates physical, associative, and perceptual dimensions. For example, well-crafted landscape provisions might lead to positive outcomes for a landscape's biophysical, functional, aesthetic, and cultural values collectively. To be useful, though, such provisions would need to pursue multiple goals rather than single outcomes, and to allow for landscape change in response to a variety of environmental, social, cultural, and economic processes. Provisions that are not informed by an understanding of the processes and activities behind the landscape, or that seek to maintain the status quo, are likely to be less useful in this regard.

Above: Tahuna/Queenstown
Image: Simon Button



Above: Te Ara I Whiti/The Light Path,
Tāmaki Makaurau
Image: Petra Leary

The cycle has been completed

Kua hua te marama

Above: Mount Taranaki reflected in Pouakai Tarn
Image: Emma McRae

Kuputaka Reo Māori

Te Reo Glossary

My language is my awakening, my language is the window to my soul

Ko taku reo taku ohooho, ko taku reo taku mapihi maurea

Above: Uawa/Tolaga Bay
Image: Sophie Fisher

Ahi kā	Occupation, title to land through occupation generally over a long period of time. The burning fires of occupation.
Ahi kātanga	The practices and values of tāngata whenua in place.
Hapū	Sub-tribal grouping (collection of whānau).
Hīkoi	To walk (the land).
Iwi	Tribal group (collection of hapū).
Kāhu	Hawk.
Kaitiakitanga	The exercise of guardianship by the tāngata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources, and includes the ethic of stewardship.
Kārearea	Falcon.
Kōrero tuku iho	Intergenerational knowledge passed down.
Kotahitanga	Collective sense of unity.
Mana	Authority, prestige, standing.
Mana motuhake	Authority, self-determination.
Mana whenua	Authority exercised by tāngata whenua over an area.
Manu	Bird.
Mātauranga Māori	Māori traditional knowledge and knowledge systems.
Maunga	Mountain.
Mauri	Life force, essence.
Moana	Sea or lake.
Ngā wawata a mua	Future aspirations.
Ngahere	Bush, forest.
Pūkenga	Expert in tāngata whenua matters.
Pūrākau	Legend, origin stories, ancient narratives.
Repo	Wetland.
Rohe	An area, particularly the territory over which tāngata whenua exercise mana whenua.
Taiao	Environment, natural world.
Taketake	Indigenous.
Takutai	Coastline.
Tāngata whenua	Māori who hold mana over and occupy an area of whenua.
Te Ao Hurihuri	The emerging world.
Te Ao Māori	Māori worldview and consciousness.
Te Ao Pākehā	A Western-derived world view and consciousness in Aotearoa New Zealand.
Taonga tuku iho	Treasures handed down from the ancestors.
Tauparapara	A chant recited at the beginning of a speech.
Wāhi tūpuna	Place with ancestral connection.
Wāhi tawhito	Place holding historical importance.
Wāhi tūturu	Place holding deep or particular meaning.
Wairua	Spirituality, spiritual dimension.
Whakapapa	Genealogical links and connections.
Whānau	Extended family unit.
Whanaungatanga	Kinship, relations.
Whānau kaupapa	Non-Māori with proven commitment and expertise in kaupapa Māori landscape architecture.
Whenua	Land and its tangible and intangible associations.

Kuputaka Reo Pākehā

Glossary

Landscape	Landscape embodies the relationship between people and place. It is the character of an area, how the area is experienced and perceived, and the meanings associated with it.
Landscape character	Each landscape's distinctive combination of physical, associative, and perceptual attributes.
Landscape attributes	Characteristics and qualities (tangible and intangible) that contribute collectively to landscape character.
Landscape values	The reasons a landscape is valued. Values are embodied in certain attributes.
Landscape effect	An adverse or positive outcome for a landscape value as a consequence of changes to a landscape's physical attributes.
Landscape character area	A specific area with a common landscape character.
Landscape character type	A kind or class of landscape sharing certain generic characteristics.
Natural	Those elements that are of natural origin (landform, vegetation, water bodies) rather than human origin (buildings, infrastructure). Natural landscapes are those characterised more by natural than built elements.
Naturalness	The extent to which natural elements, patterns, and processes occur. The extent to which an area is unmodified.
Natural character	An area's distinct combination of natural characteristics and qualities, including degree of naturalness.
Outstanding natural features and landscapes	Natural features and natural landscapes of outstanding value in a district or region in terms of their physical, associative, and/or perceptual attributes.

Fill the basket of knowledge

Whaowhia te kete mātauranga

Above: Earnslaw on Lake Wakatipu
Image: Stephen Brown

Whakapotonga

Abbreviations

AEE	Assessment of Environmental Effects.
CIA	Cultural Impact Assessment.
CLA	Cultural Landscape Assessment.
CVA	Cultural Values Assessment.
CMA	Coastal Marine Area (the area between MHWS and the limits of territorial waters).
DoC	Department of Conservation.
LMP	Landscape Management Plan.
MfE	Ministry for the Environment.
MHWS	Mean High Water Springs.
NZCPS	New Zealand Coastal Policy Statement.
NZILA	Tuia Pito Ora/New Zealand Institute of Landscape Architects Inc.
NoR	Notice of Requirement.
ONF	Outstanding Natural Feature.
ONL	Outstanding Natural Landscape.
RMA	Resource Management Act (1991).

Although the rearea (rock wren) is small it can ascend the lofty heights of the kahikatea tree

Itiiti rearea, teitei kahikatea ka taea

Above: North Arm Port Pegasus, Rakiura/Stewart Island
Image: James Bentley

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With red and black the work will be complete (by working cooperatively, the task will be accomplished)

Mā whero, mā pango, ka oti ai te mahi

Above: Weeding the onion plot during an experiment at Taradale District School, 1923–24, photographer unknown. Collection of Hawke's Bay Museums Trust, Ruawhao Tā-ū-rangi.