



Landscape Protection in a Future Resource Management System

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1 Introduction

The purpose of this short paper is to apply the recommendations of EDS's multi-year Protected Landscape Project to the specific reform opportunities identified by the Resource Management Reform Panel (RMR Panel). It is designed to assist the Ministry for the Environment in its detailed policy work to develop the proposed Natural and Built Environments Act (NBA) and the Strategic Planning Act.

The Government's reform of the resource management system provides a significant opportunity to improve the way we currently provide for landscape protection. As discussed below, the RMR Panel recommendations help address the consistent identification of important landscapes, the role of mana whenua in their identification and management, strategic integration across different management regimes affecting them, linkages with clear and directive regulation to protect important values, restoration and enhancement of landscapes, and improving the linkage with funding mechanisms to support sustainable land management and restoration work.

However, EDS considers the provisions relating to landscape protection could be strengthened further. The RMR Panel recommendations and suggested amendments are discussed below. This paper is structured around the following sections:

Section 2: Describes the concept of 'landscape'
Section 3: Provides a summary of EDS's Protected Landscapes Project
Section 4: Outlines the current statutory protection of landscapes
Section 5: Describes the potential role of regional spatial strategies in landscape protection
Section 6: Describes the potential role of the NBA in landscape protection
Section 7: Describes the potential role of national direction in landscape protection
Section 8: Provides a summary of our key recommendations

2. The concept of 'landscape'

'Landscape' is a complex and multi-dimensional concept. It is not easily distilled into one description that can encapsulate all of its nuances and meanings. To some, landscape is the culturally modified environment that specifically reflects the patterns and structures of its human creators.¹ To others, landscape is the way people make sense of their world.² Landscape results from the interface of people and the natural environment over time.

For Māori, there is no separation between the land (whenua) and themselves (tangata whenua). The term 'tangata whenua' indicates a metaphysical relationship in which the land and its people are intertwined. It denotes an inseparable connection that conveys particular rights and obligations.³ Māori and the natural environment function together as a single ecosystem, comprising visible and invisible, and tangible and intangible dimensions.⁴ In a broad sense, then, the rohe (tribal region) of each iwi (tribe) or hapū (sub-tribe) serves as their cultural landscape. Māori connect to a specific

landscape through the whakapapa (genealogical) connections of iwi, hapū and whānau to specific features of the landscape within their rohe – whenua, maunga (mountain), awa (river), moana (sea) and other pou (markers within the landscape).

‘Landscape’ is now a common term used within Aotearoa New Zealand and internationally, and it has planning and policy implications that affect tangata whenua. Therefore, in more recent times, iwi/Māori have engaged with the concept. Both ‘cultural landscapes’ and ‘ancestral landscapes’ are terms used by Māori to describe their *particular* landscapes as opposed to natural landscapes in general.

This approach can be contrasted with the genesis of the early New Zealand European concept of ‘landscape’ which traces back to the early days of European settlement.⁵ Settlers brought with them an understanding of landscape centred around the concept of ‘beauty’. This was drawn from a rich cultural heritage where 19th century poets, writers and social commentators, such as William Wordsworth and John Ruskin, wrote about the beauty of the landscape in England and the need to protect it from the ravages of industrialisation.⁶

As with the evolution of Māori culture, the European tradition of landscape has changed within the Aotearoa New Zealand context, as the European settlers engaged with new landscapes. However, navigating the two world views and devising effective protection mechanisms that encompass, empower and enable both te ao Māori and Pākehā approaches, is still some distance away. It has been the European tradition that has largely dominated institutional and legal settings.

This generic term ‘landscape’, as it has been applied in the Aotearoa New Zealand context, does not comfortably fit with te ao Māori and necessitates the use of the terms ‘cultural’ or ‘ancestral’ when referring to landscapes in relation to Māori. This makes the explicit use of these terms in the new legislation important.

New Zealand courts have long recognised that landscape is broader than just visual considerations, and much more than just an attractive view. Landscape is a large subset of the ‘environment’⁷ it has scale. It involves both natural and physical resources and various factors relating to the way people perceive and associate with them.⁸

Case law has identified three sets of components that are relevant to assessing landscapes: the biogeographical elements, patterns and processes; the associative or relationship contributions; and the perceptual aspects.⁹ These groupings have recently been described as the ‘dimensions’ of the assessment of landscapes and features, all of which are essential to a full understanding of landscape.¹⁰

Tuia Pita Ora New Zealand Institute of Landscape Architects has been developing new Landscape Assessment Guidelines that seek to develop a biculturally inclusive landscape concept and approach to landscape assessment which could serve to usefully inform future policy development in this area including the development of a NPS on landscape.

2 Summary of EDS's Protected Landscapes Project

In order to address the loss of landscape values in Aotearoa New Zealand, EDS initiated a project to investigate how existing legislative and policy tools could more effectively be deployed to protect important natural landscapes, as well as how a new protected landscapes model could be adopted to better achieve better landscape protection throughout the country.

The project was comprehensive, spanning two years. It involved an international study tour, five in-depth case studies and interviews with over 150 people consisting of landowners, agency staff, experts and other stakeholders.

The international study tour was undertaken in May-June 2019. Project staff visited Germany, the Netherlands, Belgium, Scotland and England. This was supplemented by an in-depth desktop review of notable landscape protection regimes in Australia, Canada and the United States of America. The purpose of the study tour was not to transpose an existing model into the current system, but to distil key elements that have been employed elsewhere and draw out lessons of relevance to Aotearoa New Zealand's context.

Our international review indicated that conflicting interests and pressures must be directly addressed in any protective model; there needs to be an effective regulatory framework, responsive governance, and adequate resourcing and funding.

The learnings from overseas were built on when we undertook five in-depth case studies which focused on Te Manahuna Mackenzie Basin, Te Pātaka o Rākaihautū Banks Peninsula, the Waitākere Ranges, the Hauraki Gulf Islands and the potential linkages between tourism and landscape protection. The case studies looked at a wide range of contexts with different historic and current pressures. We learnt that a one size fits all approach is not appropriate, and that landscape protection systems need to be able to take into account local context. Yet, there also needs to be consistency across application.

We also found that the pressures on landscape are more multi-faceted than in the past, and they play out in different ways in different places. In our cases studies we found that some of the biggest threats to landscape values were:

- Pastoral intensification and irrigation (Mackenzie Basin and Kaitorete Spit)
- Urban development (Waitākere Ranges and Waiheke Island)
- Tourism (Waiheke Island and Akaroa)
- Exotic plantation forestry (Mackenzie Basin and Banks Peninsula)
- Wilding pines (Mackenzie Basin)
- Plant pathogens (Waitākere Ranges)
- Weeds (Waitākere Ranges)
- Predators (most places but particularly Aotea Great Barrier Island and Banks Peninsula)

Our case studies indicated that, to be effective, any landscape management system needs to address a wide range of pressures and most importantly human attitudes, values and behaviours. A future system also needs to be flexible and adaptive so it can be tailored for particular localities and contexts.

Two strong themes emerged from the case studies: weak district or regional planning rules will not result in good outcomes, and policy developed through a narrow lens can often result in unintended consequences. There needs to be a coherent package for landscape protection. These are two elements that we see capable of being addressed within the current reforms.

The findings of EDS's Protected Landscapes Study were summarised in *Caring for the Landscapes of Aotearoa New Zealand: Synthesis Report* which is available on the EDS website (www.eds.org.nz). The report was launched by Minister Parker in Wellington in February 2021. The Minister noted that it would provide a helpful basis to inform the current resource management reforms.

3 Current statutory protection of landscapes

Natural landscapes are vitally important to the country. They provide physical and spiritual respite, historical links and havens for biodiversity. They are a source of creative endeavour, a key component of the Aotearoa New Zealand brand, and a major drawcard for tourists. It is critical that a robust framework is provided for their protection. Yet despite this importance, we are still seeing degradation of our important landscapes.

The importance of landscape has been recognised by the Resource Management Act 1991 (RMA) for over 25 years, but its meaning and significance is still poorly understood. The "protection of outstanding natural features and landscapes (ONLs) from inappropriate subdivision, use, and development" is listed as a matter of national importance under s 6(b) of the RMA. What makes them 'outstanding' and how 'natural' fits into the concept have been topics keenly contested in the Environment Court.

The s6(b) obligation is also not necessarily an absolute protection against all development. It allows for the possibility of 'appropriate' development. What is inappropriate has not been clearly defined under the Act. It is heavily affected by context and accordingly must be determined on a case-by-case basis. The Courts have played a unique and seminal role in providing discourse on this issue. In determining what is inappropriate, much turns on 'what is sought to be protected'.¹¹

Although the protection of ONLs has been identified as a matter of national significance there remains no national policy direction on landscape. In the coastal environment, the New Zealand Coastal Policy Statement 2010 (NZCPS) provides robust protection for ONLs. Adverse effects on these values from inappropriate activities must be avoided. This is a strong protection and acts to prevent adverse effects occurring.¹² This has created a disjunct in the way ONLs are managed, with stronger protection existing in the coastal environment than elsewhere.

The EDS Protected Landscapes project found that, overall, the current system does not work well. There has been clunky implementation and uneven protection across regions and districts.

Significant institutional and regulatory failure has resulted in a lack of protection for our important landscapes.

5. Potential role of regional spatial strategies in landscape protection

The RMR Panel proposed a new Strategic Planning Act “as the key mechanism for improving strategic integration across the resource management system”. It is designed to help improve strategic integration at a regional level across multiple statutes, functions, outcomes and agencies.¹³

The Strategic Planning Act would require spatial strategies to be developed for each region, and they would encompass land, freshwater and the coastal marine area. This means that they would encompass seascapes as well as landscapes. They are to provide a long term view, setting a strategic direction for at least the next 30 years and cover a wide range of matters including:

long-term objectives to improve the quality of the natural and built environments, provide sufficient development capacity, promote Māori interests and values, promote the sustainable use of rural land, protect historic heritage, address natural hazards and climate change.¹⁴

The RMR Panel proposes that regional spatial strategies would include a range of environmental matters (alongside identifying the location of future development capacity and infrastructure) such as “regionally significant ecological areas, landscapes and recreational space that should be protected or enhanced”, “areas of historic heritage values and areas of significance to mana whenua that should be protected and enhanced”, “areas where significant change in land use is required to reduce impacts of land use and development in lakes, rivers, wetlands and the marine environment”, “areas for enhancement and restoration, such as wetlands and green corridors” and “areas that may be affected by climate change or other natural hazards, and measures that might be necessary to address such issues”.¹⁵

Therefore, as proposed by the RMR Panel, such regional spatial strategies would have the ability to address a range of environmental matters at the regional level including landscape change, protection and restoration. It is important that this broad scope, and relevant matters to be addressed, are included explicitly in the Spatial Planning Act.

Regional spatial strategies would be useful mechanisms through which important landscapes could (and should) be identified at a regional level. This would help overcome a significant problem with the current system which has resulted in uneven mapping of important landscapes across regions and districts.

The RMR Panel recommended that central government should have the ability to develop a ‘national priorities statement’ under the Strategic Planning Act which would “signal its intention to address specific nationally significant issues through regional processes.” This would be used to set out “particular nationally significant issues central government wishes to resolve at a regional level” amongst other things.¹⁶

A national priorities statement could be a mechanism through which central government sets out its long-term national priorities for landscape protection.

The regional spatial strategies themselves are to be developed jointly by central government, local government and mana whenua through consensus decision-making. This, importantly, enables mana whenua to participate in spatial planning as partners and “to better reflect Te Tiriti partnerships and incorporate mātauranga Māori knowledge”.¹⁷ It should enable Māori values associated with specific landscapes and Māori cultural landscapes to be more fully reflected in the planning documents.

Regional spatial strategies are to be accompanied by ‘implementation agreements’ which will include more detailed planning for “certain infrastructure or environmental remediation projects” and apportion funding responsibility between central and local government. These could then be linked to the budgeting process for each government body, thereby helping to ensure that funding is made available to implement the regional spatial strategies.

Implementation agreements could (and should) include funding provision for the protection and restoration of important landscapes.

The RMR Panel’s recommendations also address the potential linkage between regional spatial strategies and other resource management legislation through which the provisions of the spatial strategies would primarily be implemented. Our landscape case studies indicated the importance of making a close link between policy and the regulatory tools needed for effective implementation. Policy developed in silos often had unintended consequences on landscape values.

The Panel proposed that regional spatial strategies should be “consistent with” the purposes of the NBA, Local Government Act 2002 and Land Transport Management Act 2003. The Panel also proposed that they be consistent with national direction including National Policy Statements (NPS) National Environmental Standards (NES), the national adaptation plan and government policy statements on land transport and housing and urban development.

In turn, plans developed under the NBA, the Local Government Act and the Land Transport Management Act would need to be consistent with the regional spatial strategy.¹⁸ This should help ensure that alignment runs both ways. Such plans include long-term plans and annual plans which incorporate local government budgets, and this could help to ensure that local government expenditure is aligned with the regional spatial strategy’s provisions on landscape protection and restoration.

The scope of the RMR Panel’s review was limited to a primary focus on the RMA and its interface with the Local Government Act, Land Transport Management Act and Climate Change Response Act 2002 rather than the resource management system as a whole. The Panel’s recommendations therefore relate only to these pieces of legislation. Our landscape case studies indicate that the scope needs to be broader in order to more fully integrate across statutory frameworks impacting on landscape matters.

Given that there is 1.2 million hectares of Crown pastoral land, much of it with high landscape values, the Spatial Planning Act should also apply to the Crown Pastoral Land Act 1998. In addition, the conservation estate spans around a third of the country and it is therefore important that the Spatial Planning Act also apply to the Conservation Act 1987.

To further raise the profile of important landscapes within Aotearoa New Zealand we suggest that regional spatial strategies be required to identify a category of landscapes which we provisionally call 'landscapes of national importance' but leave open the option of using an appropriate Māori name.

Landscapes of national importance would be entire landscapes areas that include significant natural, Māori cultural and/or heritage landscape values. They could include places like the Mackenzie Basin, Banks Peninsula, Wakatipu Basin, Waitākere Ranges and Aotea Great Barrier Island. Identification of these landscapes at a regional scale could link to a NPS on landscape (described below), which would set out how they should be managed.

6. Potential role of the NBA in landscape protection

The bulk of the RMR Panel's recommendations focus on replacing the RMA with a new NBA. One of the driving forces behind the perceived need to replace the RMA was its failure to protect the natural environment alongside inadequate recognition of urban development matters. Identified issues with managing the natural environment included lack of national direction, inadequate resources at central and local government levels to implement the legislation, the application of an overall broad judgement approach which weakened environmental limits, and a legislative purpose which failed to address environmental restoration.¹⁹ The Panel's report also notes the failure under the RMA to enable mana whenua to engage meaningfully in the resource management system.²⁰ All these issues have affected landscape protection.

The proposed NBA seeks to create greater alignment between te ao Māori and non-Māori approaches to resource management through incorporating the concept of Te Mana o te Taiao in its purpose statement. It also has a much stronger emphasis on achieving positive outcomes (rather than primarily mitigating adverse effects). This is through the establishment of a series of environmental limits, outcomes and targets. As the RMR Panel explains in its report, relying on limits alone risks creating a 'race to the bottom', whereas setting outcomes and targets shifts the focus to continuous environmental improvement:²¹

... where a healthy and flourishing environment is sought, rather than one that can merely endure human modification. Outcomes are intended to be high-level enduring goals reflecting a desired future state. Targets are time-bound steps for improving the environment and moving towards achieving outcomes.

The RMR Panel's proposed drafting of a new Part 2 identifies a series of outcomes to be provided for the natural environment, built environment, tikanga Māori, rural, historic heritage and natural hazards and climate change (see below). Unlike the RMA which created a hierarchy between section

6 and section 7 matters, there is no priority given to this list of outcomes with any conflicts to be reconciled through national direction or failing that through the provisions of the combined plans.

The outcomes include specific reference to the “protection and enhancement” of “outstanding natural features and outstanding natural landscapes” thereby largely carrying over the provisions of section 6(b) of the RMA but with some important changes. That section did not refer to enhancement. It also contained a reference to protection “from inappropriate subdivision, use and development” and this qualifier has been removed in the revised proposed drafting. These are positive changes.

There is a direct reference to “cultural landscapes”, and the protection and restoration of the relationship of iwi, hapū and whanau with them, in proposed section 7(j). This should raise the prominence of cultural landscapes within the resource management system.

The reference to protection of “historic heritage” has been brought over from the RMA, with the same definition of the term, but with a new qualifier of “significant” replacing the earlier qualifier of “from inappropriate subdivision, use and development”. This seems reasonable. However, no direct reference to heritage landscapes is proposed, which may perpetrate the lack of recognition of such landscapes in places such as Ihumātao.

Consideration should be given to including heritage landscapes in section 7 either through direct incorporation into section 7(p) or through amending the definition of ‘historic heritage’ to explicitly include heritage landscapes.

The RMR Panel proposals also remove any reference to ‘amenity values’ which was included in section 7(c) of the RMA as the “maintenance and enhancement of amenity values”. Instead, there is a broader reference to “enhancement of features and characteristics that contribute to the quality of the natural environment” in the new proposed Part 2.

Amenity values are an important component of landscape in Aotearoa New Zealand. Amenity landscapes are significant landscapes, but those that are not quite natural enough to qualify under section 6(b). They often form a buffer between ONLs and landscapes with no particular values meriting management or urban areas.

Reference to amenity landscapes, and the need to carefully manage them, should be included in the new proposed Part 2. A NPS on landscape (or its equivalent) could then flesh out the policy parameters and obligations.

Section 7 Outcomes (as proposed by the RMR Panel with our proposed changes in bold)

To assist in achieving the purpose of this Act, those exercising functions and powers under it must provide for the following outcomes:

Natural environment

- (a) enhancement of features and characteristics that contribute to the quality **and amenity** of the natural environment;
- (b) protection and enhancement of:

(i) nationally or regionally significant features of the natural character of the coastal environment (including the coastal marine area), wetlands, lakes, rivers and their margins;

(ii) outstanding natural features and outstanding natural landscapes;

(iii) areas of significant indigenous vegetation and significant habitats of indigenous fauna;

(c) enhancement and restoration of ecosystems to a healthy functioning state;

(d) maintenance of indigenous biological diversity and restoration of viable populations of indigenous species;

(e) maintenance and enhancement of public access to and along the coastal marine area, wetlands, lakes, rivers and their margins;

Built environment

(f) enhancement of features and characteristics that contribute to the quality of the built environment;

(g) sustainable use and development of the natural and built environment in urban areas including the capacity to respond to growth and change;

(h) availability of development capacity for housing and business purposes to meet expected demand;

(i) strategic integration of infrastructure with land use;

Tikanga Māori

(j) protection and restoration of the relationship of iwi, hapū and whanau and their tīkanga and traditions with their ancestral lands, cultural landscapes, water and sites;

(k) protection of wāhi tapu and protection and restoration of other taonga;

(l) recognition of protected customary rights;

Rural

(m) sustainable use and development of the natural and built environment in rural areas;

(n) protection of highly productive soils;

(o) capacity to accommodate land use change in response to social, economic and environmental conditions;

Historic heritage

(p) protection of significant historic heritage and **heritage landscapes**;

Natural hazards and climate change

(q) reduction of risks from natural hazards;

(r) improved resilience to the effects of climate change including through adaptation;

(s) reduction of greenhouse gas emissions;

(t) promotion of activities that mitigate emissions or sequester carbon; and

(u) increased use of renewable energy.

Planning documents are vital for implementing the outcomes in section 7. The RMR Panel has proposed the development of a combined plan for each region. Under the Panel's proposals there would be provision for mana whenua representatives on the planning committee, an independent audit before notification and independent scrutiny of submissions. This should help to ensure that the plans are robust documents and that Māori perspectives and values on landscape are more fully recognised in them.

To be effective in protecting important landscape values the combined plans will need to map important landscapes within the region. This should be a mandatory requirement in the legislation.

The Regional Policy Statements (RPS) should be the ‘heart of resource management in each region.’²² They are designed to provide an overview of resource management issues specific to the region and include policies and methods (but not rules) to achieve the integrated management of those resources. An RPS should be a strategic region-wide document which identifies landscapes and landscape values of importance to the region and sets out how they should be managed and protected. Unfortunately this opportunity has not always been utilised.

Two of our case studies (Mackenzie Basin and Banks Peninsula) were within the Canterbury region. Although Environment Canterbury had been proactive in commissioning a regional landscape study as early as 1993, this was not translated into clear policy in the Canterbury RPS. In particular, the ONLs were not been mapped and it was unclear how they were to be protected. This led to virtually no protection being provided for the ONLs on a region-wide basis.

It is important that this issue is rectified in the NBA by requiring RPSs to map and provide strong direction on how important landscapes in each region are to be protected. RPS sub-chapters could be used to detail considerations for specific landscapes. Clear and directive rules to implement these directions then need to be included within the regional and district plan components of the combined plan.

7. Potential role of national direction in landscape protection

One of the recognised weaknesses in the implementation of the RMA has been the lack of national direction on landscape matters. It is notable that there still is no NPS on landscapes outside the coastal environment close to 30 years after the RMA came into force. This has meant that the 78 councils around the country have been largely left to work it out for themselves. There is a stark disjunct between the level of protection afforded to coastal environments (through the use of clear and directive language in the NZCPS) and the much weaker protection that exists elsewhere.

The RMR Panel proposes to significantly strengthen the role of national direction through making it mandatory for a range of matters. NPSs will also be required to set targets (either binding or non-binding) “in order to achieve continuous improvement in the outcomes specified in section 7” which includes the protection and enhancement of outstanding natural landscapes as described above. They will also need to state objectives and policies to achieve the targets. A mandatory NPS on landscapes, as proposed by the RMR Panel, provides the opportunity to establish a robust national framework for the management of landscapes at the regional and/or local levels.

The development of a NPS on Landscape should be prioritised to establish environmental outcomes, targets and bottom lines for the country’s landscapes including outstanding and amenity landscapes.

The NPS could provide for greater recognition for iwi planning documents in the management of Māori cultural landscapes and support the co-design of policy and planning provisions to protect their values.

It could also help provide clarity on landscape assessment and management practice by setting out at what scale landscape should be assessed, the assessment methodology to be used, and the roles of mana whenua and respective councils and their planning documents in providing protection.

A Landscape NPS could provide specific policy for ‘landscapes of national importance’ identified in regional spatial strategies and prioritise the protection and restoration of their values. It could direct that these areas receive priority for existing government initiatives and funding.

Our international research and case studies highlight the importance of adequate funding to support restoration work and encourage sympathetic land management within important landscape areas. Landscapes of national importance could receive priority for conservation land acquisition by the Natural Heritage Fund, support for covenanting by the Queen Elizabeth II Trust and others, money from the International Visitor Conservation and Tourism Levy when international tourism restarts, and government science and innovation funding for predator control and research into sustainable land management. It could also include funding to support collaborative restoration initiatives and a focus for philanthropic investors.

The identification as a landscape of national importance could also be used to support the development of a collective brand for the area. This brand could assist with marketing strategic tourism opportunities and could also create a quality mark for products produced in the area. Similar to how tourists are attracted to the ‘Great Walks’ on DOC conservation land, they could also be attracted to the network of landscapes of national importance around Aotearoa New Zealand, where they could be assured of having high quality experiences of Aotearoa New Zealand’s outstanding natural and cultural landscapes.

8 Summary of key recommendations

Overall, approaching the resource management reforms through a landscape lens, could help ensure that the new system provides for stronger protection of Aotearoa’s special places for the benefit of current and future generations.

We consider that the strengthening of landscape provisions in the revised Part 2 (Section 7 of the NBEA), the inclusion of strategic spatial mapping and the regional identification of landscapes of national importance in conjunction with a new NPS on landscape will provide a robust framework for the protection of these important areas.

Our key recommendations are as follows:

Proposed Spatial Planning Act

1. Require regional spatial strategies to address landscape matters, including identifying ‘landscapes of national importance’ and providing for their protection and restoration.
2. As proposed by the RMR Panel, require regional spatial strategies to encompass land, freshwater and the coastal marine area to enable landscapes and seascapes to be managed in an integrated manner.

3. Ensure the national priorities statement addresses landscape protection including criteria for the identification and protection of 'landscapes of national significance'.
4. As proposed by the RMR Panel, require mana whenua to be included as equal decision-making partners with government entities in the development of regional spatial strategies to enable Māori rights, interests and values associated with specific landscapes and Māori cultural landscapes to be fully reflected in the strategies.
5. Ensure implementation agreements include funding provision to support mana whenua, land managers and community organisations to protect and restore important landscapes particularly within landscapes of national significance.
6. Provide a strong statutory connection between regional spatial strategies and plans developed under the RMA (and its successor) to ensure important landscapes are mapped and protected through robust policies and rules
7. Provide a strong statutory connection between regional spatial strategies and plans developed under the Local Government Act to ensure budgetary provision for landscape management and restoration.
8. Apply the Spatial Planning Act to the Crown Pastoral Land Act 1998 and Conservation Act 1987 to better align these regimes across landscapes.

Proposed Natural and Built Environments Act

9. Retain the reference proposed by the RMR Panel to the protection and enhancement of outstanding natural features and outstanding natural landscapes.
10. Implement the requirement proposed by the RMR Panel for mandatory national direction on section 7 outcomes including those relating to landscape protection and enhancement.
11. Prioritise the development of a NPS on Landscape to establish environmental outcomes, targets and bottom lines for the country's landscapes including outstanding and amenity landscapes.
12. Include reference to heritage landscapes and amenity values in the new legislation.
13. Implement the proposal by the RMR Panel to develop combined plans, including the provision for mana whenua representatives on the planning committee, an independent audit before notification and independent scrutiny of submissions.
14. Require combined plans to map important landscapes within each region.
15. Utilise RPSs to provide strong direction for the protection of important landscapes in each region
16. Provide greater recognition for iwi planning documents in the management of Māori cultural landscapes and support for the co-design of policy and planning provisions to protect their values.
17. Implement the RMR Panel's proposal to establish regional hubs for compliance, monitoring and enforcement and other proposals to strengthen this function.

Endnotes

¹ Read M, 2005, *The 'construction' of landscape: A case study of the Otago Peninsula, Aotearoa/New Zealand*, Doctoral thesis, Lincoln University, 19

² Read M, 2005, *The 'construction' of landscape: A case study of the Otago Peninsula, Aotearoa/New Zealand*, Doctoral thesis, Lincoln University, 19

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⁴ Moewaka Barnes H, 2019, 'Healthy land, water and people: Indigeneity, relationships and planetary Health', paper presented to International Union for Health Promotion and Evaluation Conference, April, Rotorua

⁵ Swaffield S, 1999, 'Landscape assessment in New Zealand: Background and current issues', *Landscape Review*, 5(1), 3-16, at 3

⁶ Reynolds F, 2016, *Fight for beauty: Our path to a better future*, Oneworld Publications, London

⁷ *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* [2000] NZRMA 59 at [77]

⁸ *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* [2000] NZRMA 59 at [77]

⁹ *Upper Clutha Tracks Trust & ors v Queenstown Lakes District Council* [2010] NZEnvC 432 at [51]-[62]

¹⁰ *Western Bay of Plenty District Council v Bay of Plenty Regional Council* [2017] NZEnvC 147 at [114]

¹¹ *Environmental Defence Society v New Zealand King Salmon Company Ltd* [2014] NZSC 38 at [101]

¹² *Environmental Defence Society v New Zealand King Salmon Company Ltd* [2014] NZSC 38 at [124]

¹³ Resource Management Review Panel, *New directions for resource management in New Zealand*, 2020, 129

¹⁴ Resource Management Review Panel, *New directions for resource management in New Zealand*, 2020, 142

¹⁵ Resource Management Review Panel, *New directions for resource management in New Zealand*, 2020, 142-143

¹⁶ Resource Management Review Panel, *New directions for resource management in New Zealand*, 2020, 138

¹⁷ Resource Management Review Panel, 2020, *New directions for resource management in New Zealand*, 146-147

¹⁸ Resource Management Review Panel, 2020, *New directions for resource management in New Zealand*, 139-140

¹⁹ Resource Management Review Panel, 2020, *New directions for resource management in New Zealand*, 52-53

²⁰ Resource Management Review Panel, 2020, *New directions for resource management in New Zealand*, 88

²¹ Resource Management Review Panel, 2020, *New directions for resource management in New Zealand*, 66

²² *North Shore CC v Auckland Regional Council (PT A70/94)*