

NEW ZEALAND

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NZAA Submission on Oceans Policy Working paper 7: Marine Cultural Heritage

General comments

Need for education

The working paper states there is inadequate provision for the protection of maritime heritage, due to inadequate information, lack of national guidance and inadequate uptake of available protection tools. To this might be added a fourth issue: lack of education and dissemination on the value and significance of maritime historic heritage. Until a resource is understood it will not be valued, and thus will not be protected.

Education will increase awareness, and so will complement the available legal instruments and guidelines on best practice.

Range of sites

The common perception is that maritime archaeology is shipwrecks. New Zealand coastal waters contain a considerable range of other heritage sites of both Maori and European origin, including military sites and features dating from the 1880s, wharves, landing sites, Maori sites such as landing sites and fishtraps.

Attitudes

The working paper states that a strong theme emerging from the public consultation is the "strong connection of New Zealanders with the oceans". Whilst this is the case this attitude has a detrimental outcome for maritime historic heritage. This connection tends to be expressed in an attitude of open availability and participation - we have the right to access all parts of our seashore and everything that is on it, picking up shells etc. This attitude carries over to shipwrecks – because they are in the ocean, they are available to all, and anyone has the right to take artefacts or items off them.

Salvage

The persistence of salvage rights to wrecks is not covered. It appears these persist sufficiently long that the salvage becomes more a matter of artefact recovery for vicarious pleasure or commercial gain as marine antiques rather than commercial salvage. Some earlier expiry of these rights is desirable to protect the heritage values of wrecks.

Conservation of Recovered Artefacts

The fate of some items in the sea is for them to be lost to corrosion or decay. Recovery of some of these may be justified. However it is never justified if the conservation facilities are not available to deal with them. New Zealand is poorly equipped to deal with the conservation of iron and steel artefacts recovered from the sea and cannot deal with larger timber objects. Without greater capacity, particularly for iron objects, the full range of heritage protection options will not be open to us.

Specific comments

Paragraph 3

The desired outcome is supported.

Paragraph 5

In addition to the three key international instruments cited there should be a fourth:

UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (Paris 1970)

New Zealand is not a signatory. It aims to restrict trade in antiquities, including artefacts from shipwrecks.

Paragraphs 9 to 19

Resource Management Act

Regional councils have responsibility for historic heritage in the ocean. One council in particular, the Auckland Regional Council, is providing an excellent model of recording, protecting and advocating. Few others are giving much attention to this area of responsibility.

Paragraph 25

Historic Places Act

It is important to note that the archaeological authority process in the HPA applies to events, not vessels: it applies only to wrecks where the event of that wreck occurred before 1900. In other words an 1872 vessel wrecked in 1901 would not be included in the authority process.

The archaeological provisions of the HPA were not designed for permanent protection of sites. This is because of private land ownership rights on land. It is not realistic to expect to change the nature of the provisions for land based sites. However more permanent protection for marine sites away from private title might be possible.

Paragraphs 35-37

As noted above, linked to the lack of research is lack of education to make people aware of why these sites are important and worth managing or protecting in the first place.

An important research tool not noted is the New Zealand Archaeological Association Site Recording Scheme. It currently contains 90 shipwreck sites, and over 100 other items in a maritime context, such as wharves and jetties, Maori fish traps and landing sites, military use sites and others. The site recording scheme is not comprehensive.

Paragraph 40

The application by Regional Councils of Rules to protect heritage in the coastal marine area has been uneven. The upgrading of heritage to a matter of national importance proposed by the present RM Amendment Bill may assist in this.

The National Coastal Policy Statement is weak on heritage. Without upgrading that as well, a better and more even outcome will be compromised.

Paragraph 41

The HPA registration process is limited by the resources the Trust has. The Trust is not going to adequately reflect local historic significance because of its national concentration and its resources. Better use of the RMA would allow local views on significance to be taken up.

Paragraph 45

The ability to create marine reserves on heritage grounds could be of value. However it would only be likely to protect the outstanding rather than the ordinary. The greater part of the sum of marine cultural heritage might be concentrated on the latter.

Paragraph 49

The conclusions are endorsed. There is inadequate protection of our marine cultural heritage through insufficient provisions or under-use of the existing provisions.

Thank you for the opportunity to submit.

Garry Law
President