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Ihumatao

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In 1983 Viv Rickard and I wrote a report identifying remaining ‘stonefield’ garden areas in Auckland. This began a process which subsequently protected examples of these gardens at Otuataua and Matukutureia. Thirty years later I was contacted by the group, SOUL (Save Our Unique Landscape), from the local marae, formed to protect the land next to the Otuataua Stonefields Historic Reserve, recently sold to Fletcher Building and where 480 houses (Special Housing Area 62) were planned. SOUL needed an expert witness archaeologist for planning and Environment Court appearances. Goodbye retirement. What began as a job became a campaign which made me question aspects of heritage management and protection in this country.

The block consists of the lower slopes of two volcanoes, Otuataua and Te Papapakanga a Hape with midden deposits and the tuff soil fields where Maori learned to plough, grow wheat for their flour mills and control stock by building stone walls, much of this to feed the growing town of Auckland. This is the last place in Auckland where the direct conjunction of the old stonefield garden systems and the newer cash crop farming still exists. The two areas are part of one landscape and tell one continuous story.

There is also a complex of burial caves which still contained koiwi in the early 1990s. This burial complex is referred to in the planning documents as part of the ‘buffer zone’ between the houses and the Otuataua Reserve. It seemed to me that burial caves need a buffer zone rather than be one.

The historical importance is arguably greater than the physical remains. As Vincent O’Malley has stated these fields are where the war in the Waikato began, with the eviction of the Maori farmers, the confiscation of their lands and the looting of their stock and settlements in July 1863. Not a battlefield site with a grand narrative but rather the true location of the squalid start to this war.

To Maori the land holds other associations and the people of Makaurau Marae had joined in earlier attempts to protect the land.

The importance of the land was recognised by the old Manukau City Council (and later Auckland Council) who zoned it for Public Open Space and attempted to buy the block. This zoning was challenged by the landowners

who successfully appealed to the Environment Court in 2012 and had the land rezoned for business or residential purposes. This was not to be the last appearance of this land in the Environment Court.

In 2018 SOUL appealed the HNZPT granted authority in the Environment Court. Here we came up against the millstone of the Greymouth Petroleum case. This subverted any chance of arguing the importance of the contested land as part of a larger Maori heritage landscape. The 'paddock next to Stonehenge' analogy was a rhetorical attempt to deal with this. Added to these constraints the 2014 changes to the HNZPT Act, limiting the agency largely to an advocacy role, inevitably led to SOUL failing to get support from the court to protect the at risk area. An additional issue that these court cases raise is the role of expert witnesses when dealing with heritage as a matter of National Importance (RMA 6f). Should these experts be employed in the same way as other contractors?

Many of the problems faced at Ihumatao started with deficient consultation. The UN was approached in 2016 and recommended that the Government 'evaluate ... [the decisions supporting SHA62] conformity with the Treaty of Waitangi, the UN Declaration on the Rights of Indigenous Peoples and other relevant international standards...'¹. The human rights issues were further explored and linked with inadequacies in NZ heritage practice in the recently published Human Rights Commission report on Ihumatao².

At the time of writing the issues raised by Ihumatao have not ended. Whatever the outcome there will be repercussions.

¹ 2017 UN Committee on the Elimination of Racial Discrimination recommendation

² P13 23 August 2019 International human rights perspectives on Ihumatao https://www.hrc.co.nz/files/5115/6651/4254/International_human_rights_perspectives_on_Ihumatao.pdf