

District Plan – Submission on Proposed Plan Change to the Mackenzie District Plan

Plan Change 28 Historic Heritage

Details of Applicant:

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My connection to Burkes Pass is two fold currently through my wife's parents, Jane and Graham Batchelor, and I have been regularly visiting the pass over the past 40 years having grown up in South Canterbury. I continue to be actively involved assisting on various projects to improve and maintain their heritage property as working on the new Te Kopi-o-Opihi native restoration and walkway. I am also a trustee of the Burkes Pass Heritage Trust.

I have witnessed the incredibly hard and ongoing volunteer work of many in the local community. Burkes Pass and the preservation of the local history and ecosystem has far reaching impacts and is of importance to many people not only in the wider district but also further afield. The partnership with local Iwi to restore the river ecosystem is one such example of the work being done to improve and protect the areas natural features. It is of vital importance that the interests of the whole community are taken into account when reviewing the district plan.

I support The Burkes Pass Heritage Trust submission as it related to the Te Kopi-o-Ōpihi / Burkes Pass Heritage Overlay.

Submission

Trade Competition

I could not gain an advantage in trade competition through this submission.

I acknowledge that the information above and all other information provided in this submission will be made publicly available.

I acknowledge

Do you wish to be heard in support of your submission?

I do not

If others make a similar submission would you be prepared to consider presenting a joint case with them at any hearing?

I would not

The Specific provisions of the proposal that my submission relates to are as follows:

- 1) The Heritage overlay for Te Kopi-o-Opihi / Burkes Pass
- 2) The new additions to the TKO/BP Heritage Schedule
- 3) Proposed addition of two new pou to the Heritage Schedule
- 4) The proposed changes to the Heritage Provisions of the District Plan.

Submission:

1) The Burkes Pass Heritage Trust (BPHT) strongly opposes the amended Heritage Overlay for Te Kopi-o-Opihi/Burkes Pass township of October 2024 that was notified on 5th November 2024. However would strongly support a return to the July 2024 version or similar and supports the fencing rule, but not on its own.

2) The Trust strongly supports the new Te Kopi-o-Opihi/Burkes Pass additions to the Heritage Schedule of the District Plan: The School House, Elm Tree Cob Cottage, 'Burkes Pass Accommodation House' (previously known as 'The Former Paddy Market Homestead'), Highfield Cob Cottage, Rollesby Cob Killing House, **and retaining the existing Burkes Pass items:** St Patrick's Union Church, Anniss and Alma Cob Cottages, the Mt Cook Road Board Office, the school (old part), Hotel stables, Queen Victoria Jubilee oak tree, limestone water trough, the Burkes Pass monument, the cemetery and the original cemetery post.

3) The BPHT proposes adding the two new pou to the District Plan Heritage Schedule: one within the township (installed on the road reserve late November 2024 after the notification) and the more substantial pou at Tewera Corner (Dog Kennel Corner) in the drive off area.

4) The BPHT supports in part the proposed changes to the Historic Heritage Provisions of the District Plan as far as they have been outlined in the October report (not the amended Heritage Overlay and removal of building rules).

Background:

Te Kopi-o-Opihi / Burkes Pass (TKO/BP) is about 85 km inland from the east coast and a major route into the largest inland basin in New Zealand named Te Manahuna / Mackenzie basin and the lakes. The township area is of great significance to the cultures of both Mana Whenua and Europeans.

Significance to Mana Whenua

- Te Kopi-o-te Opihi, was the name given by Māori to the Burkes Pass area, meaning the gorge of the Opihi. The awa or Opihi River originates close to the Burkes Pass township where three creeks join forces. These three tributaries, were called Totorā , Kata-rua , and Te Awa-kakau-kore. The source being known as Te Aro-tu-a-poroporo and the flat area on which the township is built called Te Pakihi-o-mahiti-koura, an ancestor (ref. Herries Beattie, 1948).
- The entire length of the awa has cultural significance from the river mouth, up past extensive limestone areas with hundreds of ancient rock drawings, through the gorge to the headwaters and source at Burkes Pass.
- The pass gives access to sites of wetlands, and entrance to Te Manahuna, the Mackenzie Basin and Aoraki which is of immense cultural, spiritual and traditional significance.
- Te Kopi-o-Opihi was well known and used by Maori for hundreds of years as an ara tawhito or seasonal traditional traveling route, along the Opihi awa from Arowhenua at the coast to collect large quantities of mahinga kai from the wetlands and lakes to sustain them and use for trading purposes and to the West coast for pounamu.
- Recognition has recently been given with major sculptural installations of pou inspired by this history by prominent Ngai Tahu artist, Ross Hemera, west of the pass at Tewera Corner (Dog Kennel Corner) and to the east in the township.
- The Opihi awa restoration project will have a public walking track connecting at both ends with the existing Heritage Walk with interpretation panels relating to Mana Whenua culture and Matarangi Maori values.

Significance to European Settlement

- We have inherited a rare, authentic and intact early European settlement, unique in the Mackenzie, Canterbury and NZ.
- A railway planned to reach the township got as far as Fairlie in 1883 and no further. This meant that the township grew very little from then until the present day.
- Photographic panorama of the township by E.A.C.Jackson, Timaru, from the 1880's from the hill directly behind the township is evidence of minimal change. Other records are in multiple published books, historical art works in major art galleries / museums in Dunedin, Christchurch, Timaru, Wellington and Auckland.
- European realisation of the immense plain with access through mountainous terrain occurred in 1855 after the legendary capture of James Mackenzie at Mackenzie Pass and later discovery of the easier and safer route was attributed to and named after Michael J. Burke.
- This presented a huge opportunity for pastoral farming and resulted in a major 'landrush', a nationally significant event.
- Edward Dobson, the Provincial Council Engineer recommended setting aside land to the west of the pass in 1859 for a supply depot to service these farms, however practicality and weather meant that the township instead grew up around the Accommodation House/Hotel (1861) east of the pass.

- Many built amenities remain intact or in part: the Long Cutting (1857-58) to facilitate travel, a larger hotel with postal services and stables (1869), the Mount Cook Road Board Office (1876) became the first Mackenzie District Council Chambers 1883 - 91, St Patrick's Union Church (1871), cemetery (first burial 1873), blacksmith's shop, livery stables, stores, housing including cob cottages, the recently renamed by Council 'TKO/BP Accommodation House' ('Former Paddy's Market Homestead'), school and school teachers house (1878), many buildings were also used by social groups and clubs e.g. Caledonian Society and CWI, and the Mackenzie Rabbit Board headquarters (1958, several buildings used for accommodation and sheds for equipment and materials) a response to a significant pest problem.
- Open spaces for the Mackenzie Collie Club (1890, the third oldest in NZ), a pound for stray animals or moving stock, pony paddock beside the teacher's house for pupils ponies, common land for grazing a house cow, sports grounds for horse racing, early rugby and cricket teams, and an iceskating rink.
- Now a major tourist route (with a planned major cycle trail), the high pedestrian/ traffic volumes have been recognised by NZTA and amendments made to accommodate this.

Planning Consultation Feedback

Opportunities for feedback at various stages from the Spatial plans to current version have all shown significant majority support on the Council website for a Heritage Overlay, the most recent survey for the July plan showed:

- 12 responses (75%) showed support or strong support, one was supportive although could see no value including the region between the hotel and the church,
- 2 were against but gave no explanation,
- 2 were neither for nor against, with one comment that they didnt want anything that might distract drivers.

Reasons for this Submission are:

1. Heritage Overlay for Te Kopi-o-Opihi / Burkes Pass

1.1 The Intent of Heritage Overlay for Burkes Pass and Heritage Significance Criteria Assessment

'A Heritage Overlay is proposed to manage the development at Te Kopi-o-Opihi/Burkes Pass so that the legibility of the heritage values of the settlement are maintained and protected.' (Mackenzie District Council letter dated 8th July 2024)

'Burkes Pass has been identified as having high heritage values which contributes to an understanding and appreciation of the history and cultures of the district'. Criteria used by Richard Knott, Heritage Consultant and his assessment of the township indicated:

- high historical and social significance

- high cultural and spiritual significance
- high architectural and aesthetic significance
- high technological and craftsmanship significance
- high contextual significance and high archaeological and scientific significance.

Studies of multiple heritage township precincts or areas with comprehensive planning rules show evidence of regional and local economic benefits enabling businesses to thrive, creation of new opportunities, improved property values, a predictable and certain environment together with social and cultural benefit which improves the quality of life for the community in many ways. (R. Knott).

Well known examples with various backgrounds such as goldmining or sea ports, include: in Central Otago - Arowtown, Ophir, Naseby, St Bathans, old Cromwell, and Cambrians, in Canterbury – Akaroa, part of Lyttleton, and many other parts of NZ.

Protection of historic heritage is a requirement of national importance under the Resource Management Act s6.

An application for Te Kopi-o-Opihi/ Burkes Pass, has been submitted to Heritage New Zealand Pouhere Taonga (HNZPT) for assessment as a Historic Area. HNZPT compile a list of professionally researched and documented record of Aotearoa New Zealand's historical and cultural based heritage. The list includes a category of Historic Area: an area with multiple, related historic places (Burkes Pass has one category 1. building and two category 2. listings in addition to 7 other Council listings in the township and 4 proposed, with others nearby).

St Patrick's Union Church (cat.1) – built in 1871-2 by a Presbyterian, Anglican and Roman Catholic committee, a co-operative effort in an isolated 'frontier' similar to those on the goldfields but still intact.

The Mt Cook Road Board Office (cat.2) recently awarded a 'Blue Plaque' by HNZPT, nominated by the Civic Trust of Timaru as a significant heritage building in the region.

1.2 The reasons for opposition to the current October version of the Heritage Overlay include:

1.2.1 The Overlay has had repeated reductions and the recent amendment has reduced it to a few isolated boxes around identified heritage buildings and is little more than the status quo.

- The high values of the above heritage criteria for the township especially social, cultural, contextual, archaeological (the buildings are standing archaeology) and scientific values do NOT exist as isolated boxes. The early Europeans were a very interconnected group, reliant on each other, working and functioning together to build this place.
- **It does virtually nothing to address and guide future building development for the next 30 years to retain these high values.**
- The current situation where we have a visible, rare and intact early settlement village without the distraction of significant infill and development, is a fragile opportunity that could be easily downgraded and lost by inadequate planning rules.

1.2.2 Richard Knott's assessment stated that '***the reduced overlay and approach agreed by councillors would offer less protection than that originally promoted***'. He finds high significance on all criteria which is not only of local but probable national importance, which gives the township and the Mackenzie District an asset to be used in the future.

1.2.3 The original July Overlay, decimated in October without significant reason, is a narrow strip alongside the Heritage walk 50 m deep and with high visibility from the Heritage Walk and highway. This was considered by BPHT to be adequate for legibility of the heritage of the township. While rules inside the Overlay may give minor cause for expense or limitation of property rights they would considerably advantage all. Development outside the Overlay would not be affected. The lack of continuity of the Overlay introduced by the Council in October jeopardises this legibility and heritage experience for visitors and local people.

1.2.4 The setting as a whole, if left intact, gives more opportunity to tell the stories of significant members of the community, and in art and literature e.g.

- Sir Walter Kennaway – Run 184, provincial politician, Commissioner of Crown lands etc.
- Captain Francis Hayter and brother-in-law Frank Huddleston and their role in first establishment of a premier tourist destination, the Mt Cook Tourist Company and Hermitage Hotel.
- George Parkyn, one of the three most influential educators in N.Z, who taught at Burkes Pass School, left a strong impression on his pupils remembered 70 years later in several oral histories, and the NZ education system.
- Edmund Norman - artist 1860s-70's, '*the finest New Zealand draughtsman of this period - and perhaps, of any period in the history of this country*'.
- People buried in the cemetery (oldest in Mackenzie)e.g. C.W.F. Hamilton (Bill), won international acclaim for his work in developing the modern jet-boat, was brought up at Ashwick Station at the lower end of the Burkes Pass valley.
- Role of women in farming e.g. Eugenie Hayter of Rollesby Station (widowed with 8 young children and carried on for decades), M. Aniss in helping build her family cob home, Country Women's Institute.

- Mentioned B.P. in literature – Ursula Bethell (poet), Dame Ngaio Marsh, Laurence Fearnley.

1.2.4 The Fencing Rule

- Present in the July version and retained in the October version, it is useful.
- Rule states no higher than 1.4m and 50% permeability applies along the entire township boundary with the highway
- Richard Knott stated that *'providing the control over front boundary fencing... would assist with maintaining the spacious character and heritage values of the proposed heritage overlay area'*.
- The BPHT feels strongly that on its own, it does not adequately mitigate for an intrusive building of inappropriate size, design, proximity to or obscuring the view of a heritage item.
- an intrusive build would still cause a problem without building rules despite fencing rules being in place e.g. a large shed of great height / length or back wall of a home facing the road boundary. In a Heritage Overlay scale etc. is important to the overall appearance to avoid overpowering and distracting from the heritage context. Modern architectural styles and large scale buildings can be perfectly appropriate beside a heritage building in other situations, and do have opportunity outside the Overlay but need guidelines if inside the Overlay.

1.2.5 Removal of Overlay Building Rules is Detrimental

- The removal of special building rules and guidelines would mean: no ability to manage the possible impacts of redevelopment of elements within a heritage overlay which do not have heritage values, but are adjacent to the heritage item
- no mechanism to manage the collection of features, building and places as a whole to avoid interruption, fragmentation and incremental loss of heritage values in the overall view
- scale, roof shape, colour, orientation and visibility of entrances matter
- pressure of development in surrounding areas is already felt in Burkes Pass, only 15 minutes drive to Lake Tekapo where real estate prices are comparatively high and there are considerably more rules regarding building design e.g. recent application lodged for a large building for worker accommodation in BP. for a Lake Tekapo business (thankfully did not reach fruition).

1.2.6 Side yard Setback and Heritage Settings

- the current setback for Low Density Residential (LDR) zones is 2m, this is completely inadequate for purpose *'to retain the visibility of the existing buildings and the open space between buildings'*, and needs to be at least 5m
- heritage settings are necessary for buildings in the LDR such as the school and school teacher's house with large areas in front of the buildings to avoid obstructing visibility and

being intrusive from scale, design, etc. This also applies to Anniss Cob Cottage, while in a rural zone also has a large frontage in its small box overlay and while requiring a resource consent could potentially be built on in future.

1.2.7 Removed Overlay Segments

Isolated boxes set far apart in the October version do not allow for the setting, landscape and connections vitally important for context of heritage items.

a) The long segment of overlay between the Mt Cook Road Board Office and the school (removed in October version) contains:

- several buildings that are directly related to the history of the Mackenzie Rabbit Board, and its headquarters in Burkes Pass. The history of rabbits and efforts to control this pest are a highly significant part of pastoral farming here. The Board was formed in 1949 and involved the Inspector, Major Calcutt's house and three other dwellings, a large implement shed and several other smaller ones in the township plus the Mt Cook Road Board Office at one stage. While the buildings individually do not necessarily warrant listing on the Heritage Schedule they are an important part of local history along the Walk and should be part of the Heritage Overlay.
- two sections next to the Heritage Walk that are currently empty and without building rules have the potential to be intrusive and destructive to the heritage experience. New owners would be unlikely to want this either.
- views of Dog Trial Hill (early Mackenzie Collie Club venue) and Cabbage Tree Flat (an early name for the township, and replanted as a memorial of this name in 2005) below it, from the Heritage Walk here.
- heritage has been a celebrated obvious feature of Burkes Pass township particularly since the Burkes Pass Heritage Trust formed in 2000. In 2002 an urban planner, Graeme Densem, was commissioned by BPHT to formulate a plan for the township in consultation with residents and Transit New Zealand that resulted in the Heritage Walk in 2010, a safe walking track away from the heavy traffic on the main highway with interpretation panels and a children's finding game along the way. Planted thresholds to define an entrance at either end of the main part of the township in 2003 with signage stating this is a Heritage Township erected in 2008. Heritage has been a selling point on most real estate signs here for many years, facilitating property sales and purchases.

b) shorter segment between the Mt Cook Road Board Office and the 'TKO/BP Accommodation House' (Former Paddy's Market Homestead).

- A major cultural art work has just been installed (Nov 2024) on the road reserve adjacent to this segment confirms significant Mana Whenua links of this place.
- the Musterers Hut- contains local heritage relics and information

- the limestone water trough- a large item associated with former stables and blacksmith shop
- the former shop/ current motel site – links to blacksmiths shop and previous store and other evolving uses of this site and buildings.
- public toilet design/colour MDC consulted with BPHT.

c) the segment between the church (a category 1 historic building) and the former hotel

- has three current houses on a hillside built toward the back of the properties, partially screened by trees and low relatively open fencing.
- they are orientated toward the road, and their main entrances face the road.
- of relatively recent origins, appear well maintained, and already fit in well with the previously proposed rules for new buildings.
- neutral as far as the Heritage Overlay is concerned and so removing this segment is a lower risk
- ideally should be included in the heritage overlay as if redeveloped in future potentially could be intrusive.

d) the segment containing the three cob cottages

- appeared in an earlier version of the Overlay but removed in the July version and reduced to boxes around each cottage, two of which are lived in.
- these cottages are in a rural zone where additional rules apply and any change would be subject to more scrutiny and therefore acceptable for the BPHT if heritage settings are applied.

1.2.8 General Issues

a) Constriction of private property rights are minor:

- there are already baseline rules for any building consents,
- the Overlay is a minor addition to create a greater economic benefit to all e.g. property values, saleability, predictability, business opportunity, amenity values all evidenced in other similar situations, e.g. Arrowtown, Akaroa etc.
- fencing rule has been accepted, building rules would back it up and ensure success.
- high awareness of the heritage township signaled for many years so no surprise.
- other rules affect multiple land owners such as the lighting provisions for Aoraki Mackenzie International Dark Sky Reserve, are a minor constriction, may involve minor cost but have major regional /local benefits for businesses, employment, cultural and educational.

b) Potential cost to landowners who have a heritage building on their property or are within the heritage overlay mitigated:

- cost can be mitigated in listed buildings by application to the Council Heritage Fund.
- maintenance for any building incurs a cost to retain the value of the asset.
- additional costs may be incurred for heritage items or non complying activities within an Overlay for reports or other, however the Council does not charge for resource consents for works affecting heritage items.
- the BPHT believes the benefits greatly outweigh the costs and while it is ideal for items to be maintained there is no compulsion to do so.

c) Traffic/parking/pedestrian issues addressed:

- NZTA is not concerned about the Overlay causing problems
- there is no expectation of change with Heritage Overlay due to past works
- there are existing large laybys on either side of the road at the corner, parks outside the church, two other large grass areas outside the central area are also used informally without problem
- multiple works negotiated with NZTA by BPHT include the Heritage Walk safe pedestrian track off the highway
- thresholds at either end of town (2003) with signs indicating Heritage Township (2008)
- speed limit reduced from 80 to 60 kph (2020) with large scale signs
- seal widening for safe pull-off and painted median strips for slower speeds as there is an impression of narrowing
- base for electronic speed indicator sign installed at church end of town (the actual sign is shared with other small towns)
- enhancing sightlines for vehicles by re-profile of road verge at Tekapo end and relocation of bus shelter (now Musterers Hut visitor centre) to boundary fence line (2003-4) after piping of open drain, re-configuration of closed corner road drains.
- If greater issues, graduated speed reduction or slower speed limit could be contemplated if evidence it was needed.

d) the perception by a few that the town has few old buildings and no different from any other place is a superficial judgement incorrect on many levels.

e) the perception that two cob cottages cant be seen due to hedges, is not correct, both can be seen through gateways and at different angles from the road and Heritage Walk.

f) Any other issue that emerges and is relevant to the Heritage Overlay.

2. Heritage Schedule Listed Items

The BPHT supports the assessment and addition of new heritage items relevant to Burkes Pass as listed on p.2 of the Section 32 report on 5th November 2024. Addition of the remaining cob structures is a priority as these characteristic vernacular buildings were once more numerous and are still disappearing e.g. 'Rona' cob ruin has almost vanished, 'Dornie' destroyed by fire in 2021. Cob (clay, tussock and manure mixture) was used as there was little timber in this area, clay was available, cheap and skills came with the new settlers.

2.1 Highfield Cottage (cob)

- a valuable part of the collection of cob buildings in the Burkes Pass Valley, showing another variation on their building design,
- in addition to high significance of criteria listed by R. Knox, the Trust believes it does also have high contextual value as it is highly visible from the base of Mt Dobson ski field road about 50 m away and frequently remarked upon by visitors,
- original occupants, the Bains are a well known name, retained in Bain's Crossing,
- considerable community input, time and funds over many years to work on this highly restorable cottage with further work planned but not yet completed.

2.2 Elm Tree Cottage (cob)

- again a valuable part of the collection of cob buildings in the Burkes Pass township, close to the road and visible from the Heritage Walk with the end wall partly hidden by a large hedge but the front and back can be seen.
- built by W. Anniss, (two brothers built in cob either side of Alma cob cottage) and currently tenanted.

2.3 Te Kopi-o-Opihi / Burkes Pass Accommodation House ('Former Paddy's Market Homestead')

- an integral part of the township, built prior to the township panorama photograph dated 1880 by Mr Spalding who owned a store next door to it and applied for a hotel/accommodation house licence but was declined due to the pre-existing Burkes Pass Hotel and Accommodation House nearby.
- photographic evidence showed it had a swagged style picket fence similar to the church, and the Foster's Cottage, indication possibly the same builder.

- for the majority of its life until recent years it was occupied by the owners of the farm named Paddy's Market Station.
- two recorded oral histories deposited in the South Canterbury Museum and BPHT archives include social history about this place.

2.4 The Burkes Pass School House

- built at the same time as the school in 1878 as a residence for the school teacher and an important part of the community and strongly related to the school
- later in 1958 was used by the YHA for the Mackenzie District
- it has an original and very picturesque appearance from the road with classical colonial cottage symmetry and porch that is much photographed and admired from the Heritage Walk
- BPHT considers it a priority addition to the schedule and for retaining its heritage setting

2.5 The Rollesby Cob Killing House

- an early farm building probably dating from the first station, Run 184, taken up in the Burkes Pass area by the Kennaway brothers and F. Delamain in 1857. The original homestead was a cob building later extended in corrugated iron but was demolished many years ago.
- located in the vicinity of other early farm buildings on Rollesby Station
- this small farm building has probably had a multitude of uses, once a shed for milking the house cow
- two rare and unusual features not often seen in cob buildings is the timber used in making the building, still projects from the walls giving an insight into how it was built, and it is a relatively tall building with an internal mezzanine floor. This is different from the other remaining cob buildings in the area and suggestive of a different builder.

2.6 The BPHT supports retaining all the listed items related to Burkes Pass with unique identifier number:

1. Burke memorial at the summit of Burkes Pass – erected in 1917 by T.D. Burnett.

19. St Patrick's Church (interdenom) – now category 1 with Heritage NZ Pouhere Toanga (HNZPT) and has a heritage covenant on the title the oldest Union church in NZ on its original site.

20. Alma Cottage – cob, category 2 HNZPT, heritage covenant on title.

34. Mt Cook Road(s) Board Office (former) – category 2 HNZPT, Blue Plaque, the only survivor in Canterbury

51. Cemetery- reserve, first burial 1873, original grave diggers hut still present and repaired.

51A. Cemetery Fence Post – original gothic - style post on road boundary.

79. Limestone Trough – on road reserve under verandah of Musterer's Hut.
83. Anniss Cob Cottage – restoration underway, built in part by Mrs Margaret Anniss
85. Burkes Pass Hotel Stables – adjacent to former hotel site, now three Creeks complex
86. Burkes Pass School (original part only) – original blackboard, cupboard, fireplace.

The Queen Victoria Jubilee Oak Tree – planted in 1897 to mark the 60th Jubilee, transplanted as a 20 year old tree from the cemetery boundary with great ceremony on the road reserve outside the Burkes Pass Hotel and a plaque affixed recording its significance. Struck by lightning in 2013, the tree was split and appeared to have died. The trunk and branches were trimmed to ensure safety and sculptural appearance. The plaque became detached many years ago but replaced with original wording and another young oak tree planted nearby to commemorate the 60th Jubilee of Queen Elizabeth II. BPHT supports retaining this 1897 tree on the schedule while it remains in situ in its current safe situation.

3. Proposed Additions to Heritage Schedule

3.1 The mahi toi (artwork) within the township tells the story of Te Kopi o te Ōpihi (Burkes Pass) being a stopping place and gateway to Te Manahuna, Takapō, and Aoraki. It also makes reference to it being a place to acknowledge tipuna (ancestors) and the area's ancient trails and history of mahika kai (food gathering). Placed east of the pass it connects with a larger one west of the pass by design details that include rock art and other motifs.

3.2 The larger, spectacular and awe inspiring piece is installed at Tewera corner (Dog Kennel Corner) west of the pass. They are both designed by an artist described as a 'Rangatira of Maori Art', Ross Hemera, who has whakapapa links to this area, and was inspired by these. Cultural links have been previously unseen to most people despite their presence for hundreds of years so these physical beautifully crafted works have made these links visible and are a mihi mihi or welcome to this area.

3.3 The larger work is in the vicinity of the Monument – Dog Kennel Corner (a rock with a plaque - identity number 32 on the Heritage Schedule) for the dogs stationed in this position in the early pastoral farming days from the 1850s for a decade or more to prevent sheep straying across properties before fencing was installed. The artwork at Tewera is far enough away and does not impinge on the significance of this memorial and the references of two cultures in this area are complimentary.

4. Historic Heritage (HH) Provisions

4.1 Support in part the general proposed provisions as listed in the PC28 Section 32 report labelled 'Final for Notification' except the amended October version of the TKO/ BP Heritage Overlay and except any provision that allows on a discretionary basis new building in front of or beside those items with a large front yard such as the School, the School house and Anniss Cottage.

4.2 The Trust does not support the amended Te Kopi-o-Opihi / BP Heritage Overlay that progressed to notification (October version) for the reasons stated earlier.

5. Submission Request

5.1 That the July version of the TKO /BP Heritage Overlay be reinstated to be fit for purpose to achieve the aim of legibility of the high heritage values of the township, and our identity in the Mackenzie, Canterbury and nationally.

5.2 Recognition of the fragile and ephemeral status of this early settlement, that needs to be protected now due to vulnerability from current pressures that would remove this only opportunity.

5.3 Consideration could be contemplated by BPHT for removal of the segment between the former hotel and the church if this was a major sticking point but would still allow some degree of risk however retaining the main segment between the TKO /BP Accommodation House along a significant portion of the Heritage Walk is vitally important.

5.4 Heritage settings that do not allow for inappropriate additions to heritage items or new buildings that obstruct the view of the heritage items.

5.5 The role of the Heritage Fund to support the listed items on the Heritage Schedule is recognised as highly valuable although due to rising costs in general and inflation this has become much less of an incentive to owners and needs to be revised.

5.6 Other incentives should also be investigated and existing ones revised to be useful.

5.7 Retaining the legibility of the township's heritage and experience of a relatively intact early European settlement combined with acknowledgement of cultural values to Mana Whenua will provide other opportunities and benefits.