Lincoln Planning Review

Indigenous planning in New Zealand
An analysis of the recent developments and their theoretical context

A preliminary analysis of the 'recovery machine' in post-earthquake Christchurch
Opportunities and restrictions to development

Understanding the values and management needs of New Zealand surf breaks

Lincoln Planning Review

Volume 4, Issue 2   **April 2013**

Table of Contents

**Front cover: Re:START Mall,
Christchurch**
Photo: Joe Harrison

EDITORIAL

Life and planning in Christchurch continues to be dominated by attempts to rebuild after the series of 11,000 plus earthquakes that have shaken the region since September 2010. Although the shakes are now largely inconsequential the ongoing de-construction and reconstruction of the city and related infrastructure continues to make travelling tomes, mental maps and senses of place quite ephemeral. They have also created a variety of opportunities for research and analysis and it should not be surprising if this and subsequent issues of this journal feature a number of articles on risk and resilience themes. Consequently, this issue leads with Nick Kirk's article exploring some of the opportunities that the quake has created, and this theme is continued in Grace Duyndam's exploration of a future Chinatown for the city. Michelle Ruske's analysis of the life and quake-related death of a controversial shorefront apartment block completes a trifecta of quake articles.

Moving further afield, Bailey Peryman and Shane Orchard explore the values and management of surfing breaks, an area of planning in which New Zealand leads the world. This marine theme is continued in the analysis of the policy processes inherent in the development of New Zealand's offshore marine management legislation in Lara Peter's report.

Property rights and their expression and containment lies at the heart of much planning. *LPR* is therefore very happy to be able to provide the full unabridged version of Derek Hall's excellent article on this theme that was previously published in two parts, one of which was unfortunately abridged, in issues 185 and 186 of the *Planning Quarterly*. The role of iwi management plans, a key component in Maori expression of their rights in 'property' is discussed with a post-modern twist by Angelika Schoder. The challenge posed by indigenous groups to traditional professional planning is mirrored in the spirited challenge provided by Roger Boulter in his comment in this issue. We encourage debate amongst planners and look forward to responses from members of the profession to Roger's views.

In this issue we again provide an outreach section that includes our 'agony aunt' column – Planning Pains - and also update the profession on particular planning activities or groups – in this case the Southern Environmental Trust and the Waihora Ellesmere Trust. A selection of planning relevant theses and dissertations completed in 2011 at Lincoln University is also included in an attempt to make recent research more accessible to the profession. The issue also introduces a relatively new staff member, Dr Mike Mackay and provides an update on some of our recent graduates.

I apologise for the lateness of publishing this particular issue. I expect to be back to our normal publishing timeframes by the end of 2013. Feedback on this issue and ideas for future issues would be most welcome.

Hamish G. Rennie
Editor-in-Chief

A preliminary analysis of the 'recovery machine' in post-earthquake Christchurch: opportunities and restrictions to development.

Nicholas Allan KIRK

Department of Environmental Management, Lincoln University, New Zealand

1. INTRODUCTION

After 160 years of colonial settlement, Christchurch has recently experienced a sequence of devastating earthquakes and seen the need for a widespread de- and re-construction of the central city, as well as, many of the surrounding neighbourhoods and peri-urban satellite settlements. This paper will offer a view of the opportunities and restrictions to the post-earthquake re-development of Christchurch as informed by 'growth machine' theory. A case study investigating an illegal dump in central Christchurch will be used to assess the applicability of growth machine theory to the current disaster response.

2. DISASTER RESEARCH

Disaster research has been traditionally bereft of theoretical nous, primarily because research on 'natural' hazards or disasters was often undertaken by civil or military organisations that were explicitly focused on concrete realities rather than theory (Tierney, 2010). More recently however, geographical and sociologically informed disaster research has flourished (for example, see Peacock *et al.* (1997); Bolin and Stanford (1998); Gotham and Greenberg (2008); Freudenberg *et al.* (2010)). Following this trend, in 1989, Kathleen Tierney used the 'growth machine' hypothesis (elaborated in detail below) developed in the previous decade by Harvey Molotch (1976) to explain why local politicians discouraged earthquake mitigation measures, such as earthquake retro-fit ordinances, improved building standards, and more stringent land-use planning, in her local California community. Using Tierney's (1989) research as a guide, I propose that the extension of the 'growth machine' (or as Tierney (see also Pais and Elliott, 2008) referred to it, 'the recovery machine') theory into analysing disasters – such as earthquakes, floods and cyclones – offers a geographical explanation of these disasters that recognize the structural factors that local governance and economic systems play in the response and recovery.

3. GROWTH MACHINE THEORY

Growth machine theory stems from the research of Molotch (1976) and his collaboration with Logan (1987). Molotch argued against scholars who viewed local governance as the outcome of open democratic debate (for example, pluralists like Dahl (1961), and Polsby (1960)). Rather, Molotch argued that "a city, and more generally, any locality, is conceived as the areal expression of the interest of some land-based elite. Such an elite is seen to profit through the increasing intensification of land use of the area in which its members hold a common interest (Molotch, 1976: 309)". The easiest and most efficient way to promote intensification of land use is through economic growth, which often expresses itself in an increasing and more prosperous population. If local elites are able to attract new industries to the area – corporate headquarters, government offices, educational and research facilities, for example – this can lead to an expansion of retail and service industries in the locality (Domhoff, 1986: 57-58). This sequence, according to growth machine theorists, is driven by existing land-owners and local authorities, who themselves are in competition with other localities who could

subsequently attract the same industries. The 'growth machine' helps explain spatial and social environments because, according to Molotch (1976: 309), "conditions of community life are largely a consequence of the social, economic, and political forces embodied in this growth machine".

Five key factors determine the magnitude and effectiveness of the growth machine in an urban area. The first, as already drawn upon, is that individual land-owners and groupings of land owners will lobby local government to extract gains. At a national level, local government or a coalescence of regional and local governments may lobby central government for specific benefits; for example, business leaders may promote specific geographical placing of a convention centre so that the surrounding area can benefit from the subsequent trade and economic stimulus. Secondly, in order to gain benefits from authorities, localities are mindful of promoting conditions which serve economic growth. This good 'business climate' could be fostered by low taxation or rating on properties; flexible labour laws; or the existence of local vocational facilities which provide well trained employees at no cost to the industry.

Third, the negative externalities of growth must be borne by the citizens of these authorities, rather than the new businesses who may be responsible for this stress on local infrastructure. If a new industry begins to pollute the local air, anti-smog plans should be paid for by the citizens, and not business.

Fourth, those more likely to become involved with local politics and decision making are those with a greater financial stake in the decisions made. For example, businessmen and women, property owners and investors in local financial institutions often run successfully for local government. This creates a clear linkage between the real-estate interests who privately benefit from economic growth in a locality and the public decisions made by the local authorities for the good of all citizens.

Lastly, Molotch (1976: 313) concludes by stating that these factors all aim "to make the extreme statement that this organized effort to affect the outcome of growth distribution is the essence of local government as a dynamic political force. It is not the only function of government, but it is the key one and, ironically, the one most ignored".

4. **GROWTH MACHINE THEORY AND THE 'RECOVERY MACHINE'**

How does the growth machine theory of local politics relate to disaster recovery, and in particular, recovery in Christchurch city and the surrounding localities? Tierney argues that mitigation measures to lessen or off-set the impact of disasters are rejected by actors promoting the growth machine (land owners, real estate investors, local authorities, supportive citizens) during times of relative stability, especially if these mitigation measures are viewed as costly economic externalities. She argues (1989: 377) that "growth pressures…set the stage for future disasters and help to undermine mitigation", because, in her view, economic elites and pro-development groups are "typically key actors in opposing hazard mitigation measures when they are proposed", and that, for example, "unreinforced masonry buildings ha[ve] been a major factor impeding the adoption of programs to abate the hazards associated with those structures, which bring a very high rate of return for investors (Tierney 1989: 378)".

Mitigation, however, is just one stage of disaster management. Drabek (1986a as quoted in Tierney, 1989: 267) separates disaster management into four stages: mitigation, preparedness, response and recovery. Tierney's research focuses on the reluctance to adopt mitigation schemes before natural disasters, especially in areas which are known to be prone to certain events (for example, California and earthquakes). Authors such as Pais and Elliot (2008: 1415) have extended 'growth machine' analysis, arguing that "following…disasters, pro-growth coalitions take advantage of new sources of material and symbolic capital to promote further demographic growth". They refer to this as the 'recovery machine', and in this preliminary analysis, I hope to extend use of this concept to provide evidence that the 'growth machine' is a permanent fixture throughout the four phases of disaster management. Furthermore, analysis of the 'growth machine' during the recovery phase will offer insights into the ways that local

business and government interests recover from devastating disasters.

5. CASE STUDY: SKELLY HOLDINGS AND THE SYDENHAM DUMP

How does the growth machine theory of local politics relate to disaster recovery, and in particular, recovery in Christchurch city and the surrounding localities? Tierney argues that mitigation measures to lessen or off-set the impact of disasters are rejected by actors promoting the growth machine (land owners, real estate investors, local authorities, supportive citizens) during times of relative stability, especially if these mitigation measures are viewed as costly economic externalities. She argues (1989: 377) that "growth pressures…set the stage for future disasters and help to undermine mitigation", because, in her view, economic elites and pro-development groups are "typically key actors in opposing hazard mitigation measures when they are proposed", and that, for example, "unreinforced masonry buildings ha[ve] been a major factor impeding the adoption of programs to abate the hazards associated with those structures, which bring a very high rate of return for investors (Tierney 1989: 378)".

Mitigation, however, is just one stage of disaster management. Drabek (1986a as quoted in Tierney, 1989: 267) separates disaster management into four stages: mitigation, preparedness, response and recovery. Tierney's research focuses on the reluctance to adopt mitigation schemes before natural disasters, especially in areas which are known to be prone to certain events (for example, California and earthquakes). Authors such as Pais and Elliot (2008: 1415) have extended 'growth machine' analysis, arguing that "following…disasters, pro-growth coalitions take advantage of new sources of material and symbolic capital to promote further demographic growth". They refer to this as the 'recovery machine', and in this preliminary analysis, I hope to extend use of this concept to provide evidence that the 'growth machine' is a permanent fixture throughout the four phases of disaster management. Furthermore, analysis of the 'growth machine' during the recovery phase will offer insights into the ways that local

6. DISCUSSION AND CONCLUSION

The case of Skelly Holdings central Christchurch demolition dump illustrates the morbid symptoms that can occur when a city recovers from a disaster. The removal of precautionary checks and balances to promote speedy recovery from disasters, as supported by existing and specially created local authorities, are directly responsible for these occurrences. If the dynamics of local body politics is, however, as Molotch (1976: 313) claims, driven by the organized effort of a local elite to promote re-growth, should this outcome be surprising?

Of the five factors of Molotch's growth machine hypothesis, I believe three are illuminated by this case study. These are authorities promoting good economic conditions; the negative externalities of growth borne by the public; and that the promotion of growth is the essence of local government decision making. The first of these factors, I believe, is illustrated by ECan's Brett Aldridge, who was quoted as saying they (ECan) were trying to help demolition companies operate "rather than weighing in with enforcement action as a first step (Sachdeva, 2011)", despite the fact that the period for the abatement notice on open-air dumping had already ceased. Rather than have an illegally operating company shut down, or at least pay a substantial fine, the authorities decided a hands-off approach would be best, therefore, keeping Skelly's employees paid (in the short term) and allowing demolition companies to dump and continue operation there. The negative externalities of these decisions – air pollution from a dump containing potentially dangerous asbestos – was borne by the local businesses and residents who were embedded in the area before the dump's existence, and who still operate after its abandonment.

Two factors relating to the growth machine could not be substantiated by this case study – the degree to which Skelly Holdings or other demolition companies 'lobbied' local authorities for lax boundaries, and the extent to which decisions were made or influenced by politically powerful vested interests. Elite theories of

politics often suffer from criticism relating to its lack of empirical validity – for instance, it may be possible to identify who held power over decisions regarding the dump - however, it is far more difficult to identify a consensus or *unity* amongst an 'elite' regarding this case (Horowitz, 1981: 376-377). Taking this a step further, Dahl argues that "I do not see how anyone can suppose that he has established the dominance of a specific group in a community or nation without basing his analysis on a careful examination of a series of concrete decisions".

The last factor - that the promotion of economic growth is the essence of local government decision making, and thus, is the *essence* or quintessential factor behind the lax enforcement of boundaries - is, I believe, evident in this case study. A dump was consented to a new company run by an overseas citizen with no experience in the demolition and dumping of possibly dangerous goods. Despite flouting resource consents in the most obvious way, the company was allowed to persist, as enforcement of regulation was seen as being 'not the first step'.

The growth machine theory may not offer a water-tight explanation of political decisions in an urban centre recovering from disaster, but it does offer a guide and a critical lens to view decisions in a manner which highlights the importance of capital and investment. Expansion of growth machine theory into other aspects of the earthquake recovery, such as the central city development plan, may offer further helpful insight.

Nick Kirk is a PhD Candidate at Lincoln University, New Zealand. His research focuses on fresh-water governance and political power in Canterbury. He has previously published articles on climate change mitigation, fisheries policy and Māori fresh-water management.

7. REFERENCES

Bolin, R., & Stanford, L. (1998). *The Northridge Earthquake. London: Routledge.*

Bolin, R., & Stanford, L. (1998). *The Northridge Earthquake. London: Routledge.*

Dahl, R. (1958). *A Critique of the Ruling Elite Model. The American Political Science Review, 52(2), 463-469.*

Dahl, R. (1961). *Who Governs? Democracy and Power in an American City. New Haven: Yale University Press.*

Domhoff, G. W. (1986). *The Growth Machine and the Power Elite: A Challenge to Pluralists and Marxists Alike. In R. J. Waste (Ed.), Community Power: Directions for Future Research (pp. 53-77). United States of America: Sage Publications.*

Freudenberg, W., Grambling, R., Laska, S., & Erkson, K. (2010). *Catastrophe in the Making: The Engineering of Katrina and the Disasters of Tomorrow. Washington D.C.: Island Press.*

Gorman, P. (2012). *Asbestos plan 'reneges' on promise,* Accessed 31/8/12, http://www.stuff.co.nz/the-press/news/6928626/Asbestos-plan-reneges-on-promise>.

Gotham, K., Greenberg, M. (2008). *From 9/11 to 8/29: Post-Disaster Recovery and Rebuilding in New York and New Orleans, Social Forces 87(2): 1039-1062.*

Horowitz, I. L. (1981). *C. Wright Mills's Power Elite: A Twenty-Five-Year Retrospective. The Antioch Review, 39(3), 373-382.*

Molotch, H. (1976). *The City as a Growth Machine: Toward a Political Economy of Place. American Journal of Sociology, 82(2), 309-332.*

Molotch, H. (2010). *Canal to Hell: Elite Strategies as Blunder and Mayhem. Contemporary Sociology, 39(6), 657-659.*

Logan, J. R., & Molotch, H. (1987). *Urban Fortunes: The Political Economy of Place. Berkeley: University of California Press.*

Pais, J., & Elliott, J. (2008). *Places as Recovery Machines: Vulnerability and Neighborhood Change After Major Hurricanes, Social Forces 86 (4): 1415-1453.*

Peacock, W. G., Morrow, B. H., & Gladwin, H. (Eds.). (1997). *Hurricane Andrew: Ethnicity, gender and the sociology of disasters. London: Routledge.*

Polsby, N. W. (1960). *How to Study Community Power: The Pluralist Alternative. Journal of Politics, 22(1960), 474-484.*

The Press. (2012). *Skelly Rubble cleared, Accessed 31/8/12,* http://www.stuff.co.nz/the-press/news/6842172/Skelly-rubble-cleared

Sachdeva, S. (2011). *Environment Canterbury Wants Rubble Eyesore Gone*, Accessed 31/8/12, http://www.stuff.co.nz/the-press/news/christchurch-earthquake-2011/6072972/ECan-wants-rubble-eyesore-gone

Tierney, K. (1989). *Improving theory and research on hazard mitigation: Political Economy and Organizational Perspectives*. International Journal of Mass Emergencies and Disasters, 7(1989), 367-396.

Tierney, K. (2010). *Growth Machine Politics and the Social Production of Risk*. Contemporary Sociology, 39(6), 660-663.

Van Benyen, M. (2012a). *Dust from Dumps sparks ECan action*, Accessed 31/8/12, http://www.stuff.co.nz/the-press/news/christchurch-earthquake-2011/6237966/Dust-from-dumps-sparks-ECan-action

Van Benyen, M (2012b). *Overstayer set to let illegal dumps behind*, Accessed 31/8/12, http://www.stuff.co.nz/business/6807670/Overstayer-set-to-leave-illegal-dumps-behind

Van Benyen, M. (2012c). *Demolition Dumping gets nod from ECan*, Accessed 31/8/12, http://www.stuff.co.nz/the-press/news/6814560/Demolition-dumping-gets-nod-from-ECan

Van Benyen, M. (2012d). *Overstayer leaves a costly mess*, Accessed 31/8/12, http://www.stuff.co.nz/the-press/news/7063176/Overstayer-leaves-a-costly-mess

Van Benyen, M. (2012e). *Official action on abandoned dump queried*, Accessed 31/8/12, http://www.stuff.co.nz/national/7113238/Official-action-on-abandoned-dump-queried

Understanding the values associated with New Zealand surf breaks and implications for management

Preston Bailey PERRYMAN and Shane ORCHARD

Abstract

Recent developments in New Zealand coastal policy include increased recognition for surf breaks as unique environments characterised by breaking waves. The New Zealand Coastal Policy Statement (NZCPS) 2010 includes policies that directly apply or relate to surf breaks and these provide considerable guidance for the protection of these areas. This includes a definition of "surf break" and guidance on other spatial aspects for planning. Local authorities now require a robust framework to implement these policies alongside other NZCPS policies within an integrated management approach. An extensive body of local and indigenous knowledge of these environments exists within coastal communities. In this study participatory methods were utilised to investigate the perspectives of coastal communities on surf breaks in two different regions in New Zealand. Information was sought on the values and attributes of surf break environments that are important for their effective management. The findings demonstrate that a wide range of values are associated with surf breaks and a complex combination of bio-physical attributes is typically responsible for the values reported. These attributes often include unique characteristics of individual sites, indicating that a site specific focus for management is essential. The findings also highlighted considerable variance in the perceived importance of different surf breaks for different people. Consequently, effective management of the resource is likely to require a thorough understanding and integration of both biophysical and socio-economic information at a range of scales including the level of individual sites and communities.

Keywords: *coastal policy and planning, surf breaks, integrated coastal management, participatory approaches, case studies, New Zealand.*

1. INTRODUCTION

Surf breaks are unique and valuable components of the coastal environment. They are becoming increasingly recognised in New Zealand coastal policy which is consistent with developments occurring internationally. An increased focus on mechanisms to protect surf breaks has resulted from numerous cases of degradation worldwide and a greater awareness of existing values. The argument for protection of surf breaks recognises that a range of benefits are associated with these unique places. These values depend on the integrity of natural processes which influence surf break environments, and on a variety of aspects important to surf break users including accessibility and environmental health.

2. POLICY CONTEXT

The *New Zealand Coastal Policy Statement* (NZCPS) is required under section 57 of the *Resource Management Act 1991* (RMA) and provides guidance to local government for the day-to-day management of the coastal environment (Rosier, 2004). The scheduled 10-yearly revision of the NZCPS 1994 included a comprehensive review process and input from stakeholder groups (Young, 2003; Rosier, 2004, 2005). The process attracted considerable input from surfers and surfing

organisations and resulted in a policy on surf breaks of national significance in the *Proposed NZCPS 2008* (Department of Conservation, 2008). Subsequently, a Board of Inquiry (BOI) process considered and reported on the Proposed NZCPS and also recommended a policy to "recognise and protect surf breaks of national significance*".* In addition, a definition for "surf break" and provisions for surf break protection in other policies were recommended (BOI, 2009a). These provisions were later adopted in the final NZCPS 2010 (Department of Conservation, 2010).

Local authorities are now responsible for implementing NZCPS policies and an essential first step is to understand the features of the surf breaks in their area. However, in New Zealand the characterisation of surf breaks for management purposes has not yet been extensively researched (Peryman, 2011). There is an urgent need for a better understanding of the resource in relation to the values derived by the community (Skellern et al., 2009), and consideration of the mechanisms by which degradation can occur.

3. OBJECTIVES

The objective of this study was to investigate the perspectives of coastal communities on surf breaks in two different regions in New Zealand in order to identify values for their effective management. In particular, the study sought information on the attributes of surf breaks that contribute to these values to identify potential implications for the management of these environments in the New Zealand policy context.

4. METHODS

Case studies were conducted over the summer of 2010-11 in two different regions of New Zealand. These were the Gisborne and Bay of Plenty regions in the north-east of the North Island. Both regions contain a number of known surf breaks including surf breaks of national significance, and range of surf break environments.

For both case studies a range of qualitative and quantitative methods were used to address research questions related to the views of local communities on surf breaks and their protection. The selection of methods used for data collection and sourcing of participants was similar though not identical between regions, reflecting the different local contexts and stakeholder groups involved (Table 1).

Information collection for the Gisborne case study included interviews with community members using a semi-structured interview technique (Yin, 2003). Participants with significant knowledge of surf break locations, surf-riding and local surf culture were identified and invited to contribute to the study using a snow-balling sampling technique. Interview techniques included the

Region	Gisborne	Bay of Plenty
Methods	Semi-structured interviews Surveys Group meetings	Semi-structured interviews Surveys Public workshops
Research questions	Identification of values, features and characteristics associated with Gisborne surf breaks and their use Factors important to the protection of surf breaks in Gisborne.	Identification of values, features and characteristics associated with Bay of Plenty surf breaks and their use Factors important to the protection of surf break in the Bay of Plenty Identification of surf breaks of 'regional significance' in the Bay of Plenty area.

Table 1: Research methods used in case studies

use of visual aids, prompts and questions on the important values, features and characteristics associated with surf breaks and their use in the region, including the six surf breaks in the region designated as "nationally significant" in the NZCPS 2010. Interviews also included questions about what makes surf breaks in the region significant, and factors important to preserving surf breaks and surf-riding culture. Surveys were also distributed to members of two local board-riding organisations. The focus of survey questions was on identifying attributes contributing to the value of surf breaks in the region. To attract survey participants meetings were held with the two local board-riding organisations to inform them of the study and distribute survey forms. A total of 30 people attended these meetings resulting in a total of 8 surveys completed. Notes from the meetings were also recorded.

Sources of data for the Bay of Plenty case study also included semi-structured interviews and the use of surveys. Semi-structured interviews were conducted with six individuals identified as having extensive experience of surf breaks and surf-riding culture in the region. As with the Gisborne case study, interview techniques included the use of visual aids such as aerial photographs and maps. Participants for surveys were sourced from attendees at two public workshops held in the two main town centres of the region. The target audience was community members with an interest in the management of surf breaks. A total of 23 people attended these workshops and eight surveys were completed. At each workshop a range of topics were discussed including the identification, management and protection of surf breaks, and factors that might be used for the identification of significant surf breaks in the region. Notes and comments from workshop proceedings were also recorded.

For both case studies a thematic analysis of all data collected was conducted to identify the attributes of surf breaks considered valuable by study participants.

5. RESULTS

5.1. Perceptions of coastal communities

The two case studies utilised similar methodologies and attracted similar numbers of participants, although a greater number of interviews were conducted in Gisborne (Table 2).

In both case studies, recreational surfers identified values connected with personal, family and community health and wellbeing. When talking about the Gisborne community, one respondent noted that "surfers are here because of the lifestyle, surf, they need employment, but can surf a lot more because of the options and consistency". Values associated with a sense of connectedness to the environment were also reported, and for many respondents this was an aspect of favourable surfing experiences. In referring to being at one particular location in the east of Bay of Plenty, one respondent stated, "you can always crack a smile at Westend". The value of sharing in the experience of surfing was another aspect noted by many respondents. Surf breaks are "a place to catch up regularly, if [the surf] is good then there is less chat, over a long time… there is a tribe of surfers".

In both case study regions, the experience of visiting or observing these parts of the coastal environment was also identified as a source of benefits. This is in addition to recreational activities such as riding waves, as one respondent stated, surfing is "…culturally, more than recreation". Another added there is "a connection to sealife and an affinity with those that surfers share the ocean with. It is not just about surfing the sea, surfers can make that connection… and are in harmony with the wairua (spirit), the buzz that Maori feel in a different way, but hearing the same tune".

Case study methods	Hui or workshop	Interviews	Surveys
Gisborne	30	19	8
Bay of Plenty	23	6	8

Table 2: Participation in case studies and methods used

Environmental aspects featured strongly in results from both case studies and all respondents acknowledged specific characteristics or features of their familiar and regularly frequented surfing locations. Many respondents provided extensive detail of these features which typically included all of the factors noted in the NZCPS definition of a surf break, and additional social, cultural and environmental elements that contribute to the overall surfing experience that is unique to each location. A range of environmental attributes indicative of a healthy environment were identified as being important to the value of these environments. These included physical aspects such as water quality; biological aspects such as the presence of characteristic wildlife; and spiritual and mythological aspects such as taniwha that manifest in local stories and whose presence is essential to local coastal patterns.

The health of both the marine area and the adjacent terrestrial environment was found to contribute to the perceived values of surf breaks.

In both case study regions, expressions related to the 'naturalness' of the environment were reported to be important as part of "the element of adventure in getting to a wave" in addition to the "sheer beauty" of particular surf breaks. One respondent highlighted this as the significant aspect of why Makarori, near Gisborne, is a special place for many, given it is "so close to the city, but feels removed from habitation… it's good not seeing houses and this appeals to surfers".

A strong trend within the results was evidence of commercial activities and other activities of economic value that involve surf breaks. In both case study regions the surfing industry

and its competitive offshoots such as sponsored events are a prominent commercial sector. For example, in 2011, Gisborne hosted a high-rated Association of Surfing Professionals World Qualifying Series event, attracting international media, high quality surfers and tourism spending[1]. In both cases, board-riding organisations such as clubs were identified as contributing to economic value through activities such as competitive events in addition to providing other social benefits. One respondent compared these benefits to the togetherness of being involved in sporting clubs in Denmark as the best way to meet people, "clubs bring people together, it's a societal thing, you're having fun".

Significant economic activity derived from tourism was also identified in both case study regions. One respondent noted that "Tourism alone… the economic potential is huge… Council or those running tourism don't quite realise how strong surfing is, but the flip side is damaging the seclusion of the place". Although little information was gained on the combined economic value of these activities, the responses indicated that surfing and surf break environments were an important aspect of both economic and social prosperity in the case study regions. For example, one respondent pointed to a website for marketing Gisborne as a place to work which specifically acknowledges the place as "a genuine, laid-back surf town"[2].

A summary of some of the key values identified across both case studies is presented in Table 3.

---

[1] For a local news report, see the following retrieved December 6 2012 from:
http://www.surf2surf.com/articles/adam-melling-wins-oneill-cold-water-classic-gisborne
[2] Retrieved 6 December 2012, from http://www.gisbornejobs.co.nz/surfing.asp

Source of value	Aspects	Theme	Gisborne results	Bay of Plenty results
Physical and mental health benefits for many user groups	• Host to many user groups who participate in many different forms of recreation with positive qualities for physical and mental health for people of all ages and walks of life	Social	✓	✓
Educational value	• Focus for skills learning, including encouragement of young / learner surfers to participate, hold contests, and socialise in a supportive environment	Social	✓	✓
Enabling interactions between community members	• Enable a diverse range of interactions contributing to a social fabric that extends into wider communities	Social	✓	✓
Lifestyle value	• Associated with a healthy, family-orientated and community-based lifestyle	Social	✓	✓
Spiritual value	• Source of spiritual energy and a place to exercise spirituality important to individual health and community well-being	Social	✓	✓
Amenity and existential values	• Scenic and naturalness values significant to users, onlookers, coastal inhabitants and visitors • Contribute to visual and oral expressions of place – interconnected to wider landscape and seascape values • Transient and memorable nature of experiences • Raw and undeveloped natural landscapes and seascapes contribute to a wilderness experience which is valued • Built access and facilities not always desirable	Social	✓	✓
Cultural use and enjoyment	• Access to, use and enjoyment of surf breaks are important aspects of the link between coastal culture and surf break environments	Cultural	✓	✓
Places of cultural significance	• Surf breaks are considered sacred treasures and/or sacred areas important to cultural heritage	Cultural	✓	✓
Commercially-focused activities directly associated with surf break environments	• Surfing associated with health promotion and leadership subjects with strong translation to lucrative action sports markets • Social constructs of 'cool' imagery with intergenerational, cross-gender and high marketing value • Surf-related tourism and surfing industry activities important to local, regional and national economy	Economic	✓	✓
Natural features and life-supporting systems	• Finite natural resource with unique characteristics influenced by both terrestrial and aquatic environment • Ecological health of adjacent areas and catchments important to use and enjoyment • Environmental educational value as sites for experiencing a range of interconnected factors unique to the coastal environment	Environmental	✓	✓

Table 3: Values associated with surf break environments identified by case study participants in Gisborne and the Bay of Plenty

5.2. Surf break attributes as sources of value

Attributes of waves important to surfing experiences were identified as a key source of value in both case study regions. These attributes varied for different people. For example one respondent suggested that the aspects that equate to an enjoyable experience depend on what it takes to get a sufficient level of enjoyment, particularly over time as experience is gained; "valuable qualities change over the years as one ages, fitness levels change, the ideal wave is about enjoyment".

This was confirmed in other information including the idea that "surfers consider the quality of the wave only, based on the thrill of the ride" and that this depends very much on their experience and skill level; an example being that for some "the barrel is the essence of surfing, it's what some people live for".

Water quality was also a particular focus for many respondents. Comments included that "the rivers are the biggest polluters to water quality", and that "the colour of the sand [in the water] is an indicator". There were several references to adverse effects associated with periods of high stormwater discharge. One respondent identified that levels of contaminants in urban stormwater runoff was a particular issue for surf break management, and many other respondents also noted the importance of avoiding coastal pollution.

The presence of wildlife was also the subject of several comments, including one respondent who looked forward every year to migrating Killer Whales in the area where his family lives and frequently surfs, noting that "the natural state is just magnificent". The importance of the 'natural state' was noted by many respondents including that the natural state can what people come for, "from all around the place, because this is what California was like 30 years ago, but advancement isn't what locals want".

Many respondents identified that the absence of adverse human influences was important to management of surf breaks and a range of land-use activities were identified as being detrimental to surf break values if not managed adequately. The presence of only minimal or basic amenities was one aspect identified by some respondents as a management issue. For example it is "best to avoid hard infrastructure, but you need also to consider the environmental impact of surfers".

The naming of locations was highlighted in two comments on surf breaks that are known by names that reflect experiences or landmarks specific to the space (e.g. 'Pines' at Wainui Beach). One respondent noted that "recognising a place is a form of protecting its cultural value… the naming of places is important, particularly for the mana of places". Particular reference was also made to the awareness surfers have of climatic conditions and dynamic processes in the local environment that lead to good or bad surfing conditions. For example "surfers know how fickle Mother Nature is, there is a narrow window of opportunity which we wait for".

Table 4 provides a summary of all attributes identified across all responses. These results demonstrate that a wide range of biogeophysical attributes can contribute to the value of surf breaks for people (Table 4).

Surf break attributes of value
water quality
seabed morphology
hydrodynamic character –swell patterns
hydrodynamic character – presence and consistency of breaking waves
hydrodynamic character –wave size
hydrodynamic character – wave quality for surfing
wind patterns
experiential attributes (e.g. sound, smell)
surf break naturalness
surf break context and setting
cultural and spiritual qualities for surf break users
vegetation assemblage and presence
presence of wildlife
historical and heritage associations
scenic qualities
tourism attraction qualities

Table 4: Summary of surf break attributes identified as valuable across all case study participants and stakeholder groups

5.3. Spatial variance

Although there was much similarity amongst the set of values supported by surf breaks in both regions, there was considerable evidence that the attributes responsible for those values were spatially variable across each region. There is strong evidence that the nature of, and location of values associated with surf breaks is highly dependent on the unique biogeophysical features of individual locations. One respondent pointed out that this can be as subtle as a stream trickling into the ocean at a particular point. In the specific case this respondent was referring to, a watercourse was realigned during a minor change in the channelling of a road, displacing a stream that was needed for "grooming the sand bank" at a location that has since not generated the surfable wave quality it is known for. In both case studies, sand movement was identified by several respondents as a vital consideration for management, and particularly the need to allow natural processes to occur. Modification of these processes was identified as a potential management issue in some locations such as where engineering works have been proposed for the protection of private property[3].

Results from both case studies also demonstrated that surf breaks are perceived in variable ways depending on the views of individual users who value different environmental characteristics that vary from site to site and also through time. For example "Different surfers interpret different experiences from the same location, the 'feel' of a place has many elements". Accessibility, perceived quality, and other aspects of surf break environments were important to many different stakeholder groups, though often for different reasons. For example "valuable qualities change over the years as one ages,

fitness levels change, the ideal wave is about enjoyment", yet at the same "surfing is a sport where 9 year olds and 72 year olds get the same stoke... but at my age, 50% of surfing is talking, solving the world's problems".

Different surf breaks may be valued for their appeal to families and younger generations, less intense wave attributes that are safe for learning and developing surfing skills, or ease of access including proximity to urban areas. The same surf break can be highly valued by some stakeholder groups and not by others. In addition a Bay of Plenty respondent noted that "two separate breaks may have different values that are equally important in defining significance".

Many respondents in the Gisborne study confirmed that all of the surf breaks identified as nationally significant in the NZCPS are especially valuable resources for the surfing community of Gisborne. These breaks represent high performance locations in terms of wave quality. However when considering the local context, nearby breaks that are not nationally significant make up part of the surfing resource and may be more important to some surfer, such as those locations more suited to learners. A unique feature of the Gisborne town 'set-up' in terms of the value of the surf break resource is the presence of many types of surf breaks in close proximity, many of which are of high quality for different reasons and in respect of different user groups.

These results indicate that important attributes of the surf break resource need to be determined in conjunction with the community since "...each break is different, it is hard to define a universal set of values... there needs to be specific inquiry to each break". In engaging the community attention to different scales and also different interests were identified as important factors. As one respondent noted, "it's a common courtesy to talk to the locals, but you can know too much and desecrate the spirit".

---

[3] See *Falkner v Gisborne District Council* [1995] 3 NZLR 622 (Barker J, High Court Gisborne). In that case it was held that a common law right to protect ones property from the sea must be subject to the procedures under the RMA". Retrieved 6 December 2012 from: http://www.mfe.govt.nz/publications/climate/coastal-hazards-may04/html/page11.html

6. DISCUSSION

6.1. Understanding protection needs

Results from the two case study regions demonstrate that surf break environments are a source of many different values for people. A wide range of attributes underpin those values and provide a useful focus for management. Our results indicate that site specific aspects of the surf break resource are important and include variability in the values associated with different surf break types and locations. To better understand management needs, a robust understanding of these aspects is required.

These findings are important to NZCPS 2010 policy provisions for surf breaks which provide a clear direction to identify and protect the unique aspects of these environments within an integrated approach to coastal management. This requires interpretation of the biophysical and spatial features important to the surf break resource.

> "[Councils] are the administrators of the highest standard of ethics… an identity based on the concept of being a New Zealander and the RMA framework is for protecting the things they enjoy and value; free access, participation in decision-making"

The NZCPS provides direction for this to occur by including a working definition for "surf break". The NZCPS definition enables local authorities to proceed with the identification of surf breaks and develop localised management responses that are consistent with the effects-based approach of the RMA. In addition, the specific locations of "surf breaks of national significance" are identified within the NZCPS for the purposes of Policy 16.

Understanding the values present in these areas is both a practical and necessary step towards the implementation of effective protection methods. Management approaches should focus on recognising existing and potential threats to values and

the role of priority areas for protection such as the application of "significance" concepts to surf breaks is one possible direction that policy development could take. Considerable guidance on this topic was provided by the NZCPS Board of Inquiry in connection with surf breaks of national significance (BOI, 2009a). The need for further development of this topic including its limitations was also recognised (BOI, 2009b). In particular, concerns have been expressed about whether assigning degrees of national, regional and local significance to surf breaks is appropriate given the difficulty distinguishing between national and more local priorities (Department of Conservation, 2009b; M. Langman, pers. comm., September 28, 2010).

Results from this study indicate that both scale issues and differing value judgements are potential difficulties to overcome in applying significance-based concepts. On the other hand, if this direction is pursued as a tool in the policy mix, community-based approaches to the identification of priority areas for protection will be useful to ensure that the selection of such areas is well informed and considers multiple perspectives. In addition, methods used in case by case decision making will also need to be inclusive of multiple values and perspectives. For example, robust impact assessment methods will be important to the effectiveness of resource consent processes as a reliable mechanism for the management of surf break values.

6.2. Applying a participatory approach to surf break management

The results of this study suggest that the important attributes of the resource which are responsible for these values can only be consistently identified through an inclusive approach which takes into account the multiple perspectives on values that exist within the community. Human aspects such as accessibility, perceived quality, cultural associations, and health and safety attributes for different stakeholder groups must be considered to adequately understand the value of the resource. Although the scope of

case studies did not permit the sampling of a wider cross section of community interests, there are likely to be other groups and individuals with interests in surf break environments not considered here, for example in relation to recreational fishing, surf lifesaving, or sites of significance for heritage or cultural reasons. The attributes of surf breaks important to all these groups should be considered.

The value of drawing upon a wide range of existing knowledge including detailed local knowledge was highlighted in this study, particularly in characterising the spatial and temporal aspects of the resource. Community participation can also contribute to successful coastal management by assisting authorities and stakeholders to identify and understand management issues and through generating improved buy-in for management decisions (Christie et al., 2005; Johannes, 1998a; McGinnis, 2012; Mahanty & Stacey, 2004; Pollnac & Pomeroy, 2005; White et al., 1994). Involving the community in identifying protection needs is a useful and practical approach for ensuring that the current values of these environments are recognised and provided for.

7. CONCLUSIONS

Surf breaks are a finite natural resource contributing to the health and well-being of individuals and communities. The results from case studies conducted in two regions in New Zealand illustrate that a wide range of attributes contribute to the values of surf breaks. These are typically site specific features that are often unique to the individual location. The results also illustrated considerable differences between the values attached to various attributes by different groups in the community and an added complexity is that these need to be considered at different scales.

Local knowledge is currently the most authoritative source of information on these areas, and as the next generation of regional and local level policy is developed more in-depth case studies are required to identify

locations, values and specific management needs associated with surf break environments. It would also be useful to understand the wider value of surf break resources to society, including their value to economic activity at different scales. Our results suggest a need to engage communities in the design of methods for surf break protection. This includes for identifying the attributes requiring protection, the possible application of 'significance' concepts to individual locations, and in connection to impact assessments and associated decision making for proposed activities in coastal areas that may affect surf breaks. An on-going dialogue amongst planning professionals, surf break users, and their surrounding communities is central to progressing this new topic for coastal policy in New Zealand.

*Bailey Peryman has an Honours Degree in Environmental Management from Lincoln University and completed his dissertation on surf break management in 2011. He is currently undertaking further research on the topic of surfing area management in a joint project between Lincoln University, Auckland University and Bay of Plenty Regional Council.

*Shane Orchard BSc, MSc(Hons) and PGDipMaoriRes&EvmtMmt is an ecologist and policy analyst working on natural resource management issues particularly involving the coastal environment and the integrated management of catchments and coastal areas. Shane works extensively with community based approaches and contributes to a number of community groups and projects in Canterbury as well as convening the Catchment & Coastal Issues Group for the Environment & Conservation Organisations of NZ.

REFERENCES

Board of Inquiry (2009a). *Proposed New Zealand Coastal Policy Statement 2008. Board of Inquiry Report and Recommendations. Volume 1: Findings, Recommendations and Recommended NZCPS (2009).* 55pp. Retrieved 10 May 2010 from http://www.doc.govt.nz/upload/docum ents/getting-involved/consultations/closed-

consultations/nzcps/NZCPS-2008-board-of-inquiry-vol-1.pdf

Board of Inquiry (2009b).*Proposed New Zealand Coastal Policy Statement 2008. Board of Inquiry Report and Recommendations. Volume 2: Working Papers.* 367pp. Retrieved 15 May 2010 from http://www.doc.govt.nz/upload/documents/getting-involved/consultations/closed-consultations/nzcps/NZCPS-2008-board-of-inquiry-vol-2.pdf

Christie, P., Lowry, K., White, A.T, Oracion, E.G., Sievanen, L., Pomeroy, R.S., Pollnac, R.B, Patlis, J.M. &Eisma, R.V. (2005). Key findings from a multidisciplinary examination of integrated coastal management process sustainability. *Ocean & Coastal Management 48:* 468–483.

Department of Conservation (2008a).*Proposed New Zealand Coastal Policy Statement 2008*. Wellington: Department of Conservation. 35pp. Retrieved 10 May 2011 from http://www.doc.govt.nz/upload/documents/getting-involved/consultations/current-consultations/proposed-nzcps-2008-high-res.pdf

Department of Conservation (2009a).*Proposed New Zealand Coastal Policy Statement 2008: Board of Inquiry Report and Recommendations. Volume 1: Findings, Recommendations and Recommended New Zealand Coastal Policy Statement 2009.* Retrieved October 21, 2010 from http://www.doc.govt.nz/upload/documents/getting-involved/consultations/closed-consultations/nzcps/NZCPS-2008-board-of-inquiry-vol-1.pdf

Department of Conservation (2009b).*Proposed New Zealand Coastal Policy Statement 2008: Board of Inquiry Report and Recommendations. Volume 2: Working Papers.* Retrieved October 21, 2010 from http://www.doc.govt.nz/upload/docum

ents/getting-involved/consultations/closed-consultations/nzcps/NZCPS-2008-board-of-inquiry-vol-2.pdf

Department of Conservation (2010).*New Zealand Coastal Policy Statement 2010*. Retrieved November 21, 2010 from http://www.doc.govt.nz/upload/documents/conservation/marine-and-coastal/coastal-management/nz-coastal-policy-statement-2010.pdf

Ingles, A.W., Musch, A.& Quist-Hoffman, H. (1999).*The participatory process for supporting collaborative management of natural resources: An overview*. Rome: Food and Agriculture Organization.

Johannes, R.E. (1998). Government-supported, village-based management of marine resources in Vanuatu. *Ocean & Coastal Management 40*: 165-186.

McGinnis, M.V. (2012) *Ocean Governance: The New Zealand Dimension*. A Summary Report. School of Government. Wellington: Victoria University. 58pp.

Mahanty, S. & and Stacey, N. (2004). *Collaborating for Sustainability: A Resource Kit for Facilitators of Participatory Natural Resource Management in the Pacific*. International Waters Project. Suva, Fiji: Pacific Regional Environment Programme (SPREP).

Peryman, P. B. (2011). Identification of Surf Breaks of National Significance. *Lincoln Planning Review, 3*(1): 15-20. Available at http://journals.lincoln.ac.nz/index.php/LPR/article/view/607/463

Pollnac, R.B. &Pomeroy, R.S.(2005). Factors influencing the sustainability of integrated coastal management projects in the Philippines and Indonesia. *Ocean & Coastal Management 48*(3-6):233-251.

Rosier, J. (2004).*An Independent Review of the New Zealand Coastal Policy Statement*. Report to the Minister of Conservation. May 2004. Massey University, Palmerston North, New Zealand.

Rosier, J. (2005). Towards better national policy statements: NZCPS review. *Planning Quarterly, March 2005*: 26-28.

Skellern, M., Rennie, H.G., & Davis, M. (2009). Working towards the protection of surf breaks. *Planning Quarterly172*: 12-15.

White, A., Hale, L.Z. Renard Y. & Cortesi, L. (1994).*Collaborative and Community Management of Coral Reefs: Lessons from Experience.* Connecticut, USA: Kumarian Press. 130pp.

Yin, R.K. (2003).*Case study research: Design and methods* (3rd ed.). Thousand Oaks, CA: Sage.

Young, D. (2003). *Monitoring the Effectiveness of the New Zealand Coastal Policy Statement: Views of Local Government Staff.* Wellington: Department of Conservation, Conservation Policy Division.

Property Rights and Planning*

Derek HALL

This is the full version of an article previously published in two parts in the New Zealand Planning Institute's Planning Quarterly, issues 185 and 186, of June and September 2012, respectively. The second part of the article was abridged in the latter publication. Lincoln Planning Review and Planning Quarterly considered the second part warranted re-publication in full and the following is published with the support of the author and Planning Quarterly.

1. INTRODUCTION

The central issue in land use planning is land use. The goal is to attain the optimum use of land as spaces for activities and channels for communications.[1] How, then, is land use determined? The answer is, primarily by the land owner, arising from property rights in land.[2] Furthermore, planning provisions are still often referred to as restricting the right of owners to do what they want with their land. A discussion of the relationship between property rights and planning is warranted.

'Rights' here means legal rights. 'Legal rights' implies a civilized society with a government. In the English legal system and the legal systems of countries that have adopted the common law system, these rights arise primarily from custom, legislation, or the court decisions of the common law. In law, rights and duties define what people can and cannot do. Remedies are provided to ensure that the rights and duties are observed. In land law, they define the relationships between people and land, and between persons in relation to land. Governments, expressly or tacitly, have in the past promoted, and continue to promote the private ownership of land by ensuring that the

legal system is in an appropriate form for it to flourish.

The essence of the idea of property is *exclusiveness* - that a person can have the right to something to the exclusion of all others. As applied to land, it is believed, in support of private individual land ownership, that the selfish orientation of human nature will lead to more efficient land use than land held in common; and that there will be more incentive to effect improvements to the land, including necessary buildings (the right to erect buildings and effect other improvements being an important part of the use right).

Originally, property rights in land were protected by private, common law: land law, and the law of torts in respect of trespass and nuisance. Later, legislation such as building and health bylaws, and town planning acts and schemes, started being used to regulate land use, and these had the effect of determining, in part, what property rights an owner had. They also introduced criminal type remedies and these brought property rights into the domain of public law. Although public law involves public authorities, and often promotes public interest, it is just as concerned with promoting individual interests. Such law is generally enforced by public authorities - an advantage to a large section of the community - but to some extent can be enforced by individuals, and individuals still retain their traditional remedies for enforcing their property rights.

---

[1] The terminology of McLoughlin (1969) p 34, derived from Chapin (1965).

[2] As explained shortly below, there are two rather different aspects of property rights in land: the rights to hold and dispose of land, and the rights to use and enjoy. Sometimes the former, but mainly the latter will be the subject of discussion.

In what follows, firstly the philosophy of property rights will be discussed. Much of the literature on property and property rights discusses philosophical issues and these have had a significant influence on planning. The other aspect dealt with is the 'mechanics' of property rights in land, that is, how they work.

2. PHILOSOPHICAL AND POLITICAL INFLUENCES

The English-speaking countries have inherited the British tradition, related to the influence of the powerful land owners, of considering private ownership of land, and the owner's right to determine the use of land, of the utmost importance. Some public ownership has always been accepted as necessary, but any move by the public sector to acquire more land, or to regulate land use, has and will be greeted with suspicion and opposition. These attitudes are reflected in the actions and decisions of the political and legal systems. Not necessarily undesirably, the history of land use planning reflects the need to fully justify inroads into these attitudes, and to develop and manage planning systems that are a compromise between them and the reasons for land use planning. The degree to which these attitudes influence action varies from country to country, as can be seen in differences in the various planning systems.[3]

The basic, much argued, philosophical question then is: to what extent should the choice of land use, in all its ramifications, be left to the individual land owner? To avoid making a nonsense of the concept of private ownership of land, it is agreed that the owner should have a reasonable amount of choice. But within that, there is still the issue of whether, on the one hand, the owner should have a liberal right to decide on almost any land use, or whether, on the other hand,

government should have significant involvement in that decision. The question of how much freedom of choice has to be weighed against other philosophical and practical considerations. There is always room for more or less of any attribute. Philosophy provides a moral basis for allocating property rights in land.[4]

Immediately prior to the introduction of land use planning an owner had wide powers of deciding on use, the principal legal restrictions being the law of nuisance - protecting others from the creation of harmful and unjustifiable nuisances; and, in urban areas at least, health and building bylaws. Land use was determined by persons owning land, inheriting land, or acquiring ownership of land in the market place, and deciding on the use their land should be put to. Another option was, of course, acquiring land with an existing use they wished to continue. But land use planning is concerned primarily with land use (services and facilities are almost invariably *ancillary to* land use although some *do* involve land use), and its very existence implies that land use decisions cannot be left entirely to the private land owner. A greater input of public policy is required into the use of land than is the case with the common law, *laissez faire,* approach.

This is particularly so for urban areas, where some services and facilities have to be provided by government if some minimally acceptable environmental standard is to be achieved. Thus an urban area cannot develop solely as a result of private sector decision making. Theoretically, it may be possible to have a minimal form of land use planning where public services, facilities, and land uses are provided in response to the decisions of private land owners, but as a matter of practical government, this has never been

---

3 The greatest restrictions on private property owners seem to have occurred in Great Britain; restrictions seem hardest to impose in the United States; and New Zealand, Australia, and Canada are in between. Looking at this issue more broadly, most planners will agree that the form of a city, say, will be rather different if the public authorities impose fairly strict ideas of future of form, rather then let the private sector make the decisions within a looser framework.

4 The predominant philosophical issue discussed in the literature is the idea of property and private property generally. There has been much writing on this, and is what many books on "Property" deal with, for example *Property: Its Rights and Duties*; and Macpherson (1978). These help to provide the basis for a philosophical approach to property rights in land.

seriously considered. Amongst other things, it would be a very inefficient use of resources.

Therefore, land use planning has meant governments becoming involved in decisions for the use of privately owned land, beyond nuisance and bylaws,[5] which from the liberal starting point is seen as a restriction on the private use right. This is a philosophical position. It is clear that in a civilized society government has to determine the basic use rights that will be accorded private land owners, so the debate should be as to *what* rights should be so accorded (including, broadly, whether the right should be a general right to choose land use, or whether the rights should be more specific, where some of the choices have already been made), and as to where the starting point should be in thinking about the matter. As a matter of customary *modus operandi,* governments of western democracies *do* start from the point that the private owner has the right to decide how land is used, and then consider what limitations and modifications of that right are necessary. But it is also a fact that quite specific determinations of use rights are now made by government. Accordingly, it is becoming an anachronism to see land use regulation as a restriction of private property rights rather than as a positive way of rationally and fairly determining them.

As mentioned below, government may have the right to the compulsory acquisition of land "for public uses or to put some policy into effect." There are a wide range of public uses from the traditional roads, public reserves, and land for public utilities, through the provision of civic amenities, to small or large scale public land development projects, the ultimate being new towns, as in Britain and elsewhere. In all of those cases the public

authority determines the purposes for which the land will be used. As owner of the land it can decide what it will do with it, and from the planning point of view, either the developer *is* the planning authority, or the new town authorities are authorized to determine land use – obviously rather different from determining land use by regulating a myriad of private owners. Subsequently, in a new town, land could be sold to private owners and be subject to the usual regulation, or retained in public ownership with use regulated through leasehold covenants, tenancy agreements, or the like. The two philosophical issues here are firstly whether compulsory acquisition is acceptable in all of these cases (sometimes the land *is* acquired in the market place); and secondly whether government should be involved in the large-scale, direct determination of land use. That was certainly accepted in Britain after the Second World War, because it was thought that this was an important way to tackle overcrowding in the major urban areas, and that this approach could only be taken by the public sector.[6]

While on this question notice that often central government will not allow itself to be bound by the planning act. This is usually because planning is in local government hands and central government will not allow itself to be told what to do by local government. Sometimes central government will allow itself to be bound in respect of certain uses, for example housing, or may try to observe planning provisions as a matter of courtesy. This aspect, then, is perhaps more a matter of practicalities than philosophy, although there are the questions of fairness and of keeping limits on the exercise of governmental powers.

---

5 Usually in a jurisdiction there is a principal planning statute, and perhaps one or two closely related acts such as for subdivisional approval and public works. This is what is normally in mind here. But there can be other legislation affecting property rights in land in various ways passed from time to time, for example walkways legislation which may enable public rights of use to be created over private land.

6 There are examples of private new towns, such as in the United States, which have served the community well, but they were not to achieve the broad objectives sought in the new town programs – rather just for urban fringe development. In the Antipodes, Canberra is the outstanding example of a public 'new town.' Capital cities seem to be a popular subject for whole or partial new-town type development – Washington, New Delhi, Brasilia, etc.

3. THE MECHANICS OF PROPERTY RIGHTS IN LAND

3.1. Classification of Property Rights in Land

A broad classification of property rights in land is into the rights to hold (or possess), use, enjoy, and dispose of land.[7] It is useful to pair these off into 'hold and dispose' and 'use and enjoy.' Corresponding to these pairings are the issues of who can and does hold land; and what an owner can decide to do with a piece of land. Each pair refers to significantly different aspects of property rights in land, and different considerations apply to each. Historically, land law (a considerable body of law) and the tort of trespass dealt with the 'hold and dispose' aspect. At common law, 'use and enjoy' was dealt with merely under the tort of nuisance.[8]

4. SUBDIVISION

This is an important preliminary issue. It is relevant both to 'hold and dispose' and 'use and enjoy.' In changing social and economic conditions, and with urbanization, instead of a small number of large land holdings, more and more people became landowners, often of relatively small parcels. If myriad persons are to own land, it becomes important to know who owns what land. Hence the first step in this direction was the development of the practice of subdividing using the skill of the land surveyor. Systems were also needed for recording the ownership of the individual plots. In England a rather cumbersome "Deeds" system is used, but dealing with land was considerably facilitated by the introduction of registration of titles systems such as the Torrens system, for example, into South Australia and New Zealand.

As well as enabling plots of land to be accurately identified, survey and subdivision acquired added significance later when lot size and design, the proposed use of the lots, and the process of approving subdivisions became important aspects of planning – in fact, the importance of this in determining the form of development and the use of land has probably been underestimated. This may be partly because at first, and for some time, subdivision approval was dealt with under legislation and processes separate from planning. But it was often the first occasion on which a development proposal was considered by the authority. In the history of land use control legislation, you can see the gradual merging of subdivision control and planning generally.

5. THE RIGHTS TO HOLD AND DISPOSE OF

These rights enable land to be held in public or private ownership. Obviously, whether a piece of land is public or private makes a huge difference to how land use planning sets about its business. If there is no private ownership of land, land use will be determined by government (subject to it possibly delegating some of that power). With private ownership, land use planners deal with private land owners. There will always be a certain mix at any point in time, and this may change with public (possibly compulsory) acquisition of private land, or by privatization of public land.

Planning largely has to accept the status quo, but can have policies and proposals that involve change into public ownership (eg public works, recreation land, newtowns, public housing projects); or into private (making public land available for private development). The often controversial nature of such proposals or action reflect the different attitudes of different people to public or private ownership, and this is also reflected in the machinery available for the same, for example statutory restrictions on

---

7 These, and what are embraced by them, are sometimes called the 'bundle of rights.' Other classifications are also used. For example Honoré (1961) refers to six rights: to possess, to use, to manage, to the income, to the capital, to security; to two incidents: of transmissibility and of the absence of term; and to the prohibition of harmful use, and liability to execution.

8 As mentioned below. This emphasis corresponds to the attitude of the early days when an owner could do what he wished with his land so long as he did not harm anyone else. It was later government regulation of land use that brought the rights to use and enjoy into prominence.

the purposes for which private land can be publicly acquired.[9]

As well as guaranteeing security of tenure, the rights to hold and dispose of land, together with the right at large to acquire land, ensure that private ownership of land is possible, and also that a market in land is possible. The principal detraction from that is government's right to compulsorily acquire land, for example land needed for public uses or to put some (planning?) policy into effect. All jurisdictions reserve this right - usually referred to as compulsory acquisition, resumption, or eminent domain - and private ownership is never absolute. Usually all land is originally owned by the state, and private ownership is granted by the state with eminent domain reserved. Much land remains in state ownership, but in urban areas in particular it is mostly privately owned. Of course, this historical explanation of compulsory taking is not of much interest to the typical land owner who thinks of his or her right to hold as absolute and compulsory acquisition as a gross interference with it.

The other pair, the rights to use and enjoy, are the area of principal concern to land use planners, and a discussion of them follows.

6. THE RIGHTS TO USE AND ENJOY.

"Enjoy" is broader than "use." It is an expression little discussed in the literature and seems to cover forms of enjoyment other than physical use, like receiving rents from leased land, or just holding land and obtaining increments in value. "Use" by someone in possession covers *passive* enjoyment, although the discussion of "use" more often relates to development, the owner's interest being in what they can do with the land (possibly involving a change in nature or intensity) rather than how it affects others. *Use* is what persons are commonly thought to do with land, so the use right does present

---

9 An historical study of the relevant legislation will show how this issue is a bit of a political football. It has also been mentioned above as a philosophical question.

itself as the significant one to think about. Use is the common form of enjoyment, and if the owner is not using the land, someone to whom the right has been assigned, for example a lessee, may be.

Therefore, concentrating on the right to use, it has always been a function of the legal system part of government through property rights in land to determine what it will be, although this has changed from a "hands off" to a "hands on" approach. As a practical, behavioural matter the 'right to use' means the right to determine the use of the particular piece of land owned (including erecting buildings and effecting other improvements), and to put that determination into effect, on a continuing basis.

As a preliminary point, modifying or determining property rights is not the only way of implementing land use planning. For example, taxes and subsidies may be used to encourage private owners to modify their land use decisions. An absence of services and facilities, intentionally withheld, may make development impractical or unattractive. But specifically determining the right to use to some extent has become part of planning, and it is impossible to visualize land use planning without *some* involvement in determining the right to use land. Usually, there is a *substantial* involvement.

In the new land use planning and land use regulation regime, as well as it being more restrictive, land use rights are now more specific. There is no doubt that owners' ranges of choice have been narrowed, but their certainty has probably been increased, provided the use rules are not too frequently changed or departed from. (In the old regime, how would owners know whether they are likely to be sued in nuisance by a neighbour? How would they know what uses might be established on neighbouring properties?) In fact*, how* they make their choices has changed with zoning. Instead of buying pieces of land and deciding to put them to a certain use, prospective owners buy pieces of land,

suitable in terms of zoning as well as other characteristics for the use they wish to carry out. Provided there is a good range of suitably zoned land to choose from, this method is probably, overall, more beneficial to the owner than the method it replaced.

As mentioned above, what gets most attention is the owner's right to actively continue, develop, or change the use of a piece of land. But most owners not only want to positively pursue their use rights, particularly to continue an existing use, but also, perhaps primarily, want not to be negatively affected (that is, not to be prevented from or limited in continuing to enjoy their land use) by how others use their land. Therefore, more certainty as to neighbouring land uses - something that should be achieved if zoning is being used properly - is for many persons a more important aspect of property rights in land than choice and certainty in developing or changing a use. Freedom, for them, is freedom to continue their existing uses without interference.

In another perspective, the more specific right to use, emphasizing restriction as much as authorization, also involves the *duty*, in relation to other land owners and users, or the public generally, to use land only in accordance with the use rights. Although owners have the right to enjoy the use of their land, by virtue of the restrictions on land use they also have a duty to allow other owners to use their land in accordance with the use rights, there now being more emphasis on them being reciprocal rather than unilateral.

Incidentally, the public at large can have rights to use land. Some publicly owned land, such as roads and public reserves, is customarily available to the public generally, although in other cases government, perhaps in the name of the Crown, will exercise its property rights like a private owner and prohibit or restrict general entry onto it by the public. As regards privately owned land, there are devices for enabling some public use, in particular the easement in gross which may for example allow the public to use part of some private land as a right-of-way.

Public authorities also have an interest in property rights being properly exercised. For example, they can expect demands on services to be in accordance with the permitted uses, and not to be excessive due to illegal use (in return, an owner using land in accordance with a permitted use can expect not to be interfered with by a public authority). As a land owner, Government or the Crown, with its powers and immunities, partly follows normal rules, but is in a special position because it can directly use its powers to uphold its occupation and use of land, and can exercise its prerogative not to be bound by ordinary rules of law.[10]

As a slight digression, notice how the macro and micro aspects of land use planning have developed. Although it is primarily concerned with the broad arrangement of uses, services, and facilities in an area, it has also become deeply involved in regulating the micro relationships between uses on adjoining or nearby land to minimize incompatibility and detrimental effects. You can see how both aspects are reflected in the use rights under a planning scheme, the micro issues perhaps mainly accounting for the detail sometimes necessary. A similar issue is the way planning provisions may benefit or affect the public in general on the one hand, or specific land owners on the other.

7. EXPRESSING USE RIGHTS

Another issue is how a use right will be expressed. It may be expressed in terms of what the owners should not do, in which case they can do everything else; or in terms of what they can do, in which case they cannot do anything else. However, they may be given a choice of a range of permitted uses, which may give an adequate freedom of choice, and limitations are compensated for by the

---

10 For example, the Crown is not bound by a statute such as a land use planning act, unless the statute specifically says it is.

benefit of certainty. Obviously, zoning is in mind here. In the case of a typical residential zone there is another factor – the owner may not need or want much freedom of choice. *The* permitted use gives the owner all he or she wants. So long as there are adequate amounts of land suitably zoned available, choosing a site is the only choice needed.[11]

However, it may not be practical or desirable for all uses or activities to be authorized to be undertaken as of right, as with a permitted activity. The zoning method envisages that there will be activities, or a group of activities, that can satisfactorily be allowed to exist together in a zone without any enquiry except as to whether they are of the type permitted. In other cases, the one-off, somewhat different type of activity has to be considered as it arises to see whether it is suitable for the zone. It may be an activity that generates detrimental effects and requires conditions tailored for the situation to enable it to fit in. Or the unusual activities are not common enough to enable the idea of a zone of like uses to congregate, to be put into effect. There is also the problem of providing enough zones for all the less common activities[12]. Often it is impossible to foresee every use/activity for which there may be a demand, or where someone might want to locate it. For all these reasons some uses have to be authorized *ad hoc.*

In relation to zoning, various devices may be used – discretionary activities, non-complying activities, waivers and dispensations, and so on, or a broad resource management approach. There is also English development control where zoning is discarded and virtually all new uses /activities are authorized *ad hoc,* although development plans firm up the options somewhat. In all of these cases of

ad hoc decision making, the decision making process becomes important. It needs to be open,[13] and with an opportunity for all interested parties to participate. A multi-tiered decision making structure with rights of appeal will probably be needed as a further check on fairness, impartiality, etc.

The significance of all this *ad hocery* for use rights in land is that they are not determined until some official decision is final. They are possibly gradually firmed up – development plans and lists of discretionary activities in a district plan narrow the range of possibilities down initially – but other proposed uses/activities are unusual or unexpected and can only be dealt with completely *ad hoc*.

As far as the merits of this is concerned, the issue is sometimes discussed as certainty *versus* flexibility. These two values have to be traded off against each other, and any particular system represents the best trade-off that can be reached. An important aspect of *certainty*, though, is its relationship to freedom of choice. People want to be free to make choices that they know they will be able to carry out.[14] A developer may use a device such as an option to buy land subject to getting consent for the desired use, because of the uncertainty involved in committing to a purchase before that. *Flexibility* is desirable

---

11 This is not to say that a range of types of residential zones cannot or should not be provided for, but the point is that it may not be necessary to provide choice *within* a zone.

12 Of course, if an unusual use *is* compatible with the other uses in the zone it may be included amongst the predominant uses if the need for it is foreseen.

13 To avoid particular individuals being favoured, throwing the system open to corruption, unfairness, or nepotism, the law prefers provisions to be of general application, so that anyone can benefit from them, and so that they are not made with any particular individual in mind. Zoning goes some way to meeting this requirement when properly used, but there are still problems such as zoning changes and drawing zone boundaries. When this principle cannot be applied, an open process is one of the best compensations. On the question of corruption, the relationship between that and the exercise of a discretion is frequently illustrated in practice.

14 Notice that this issue can be a little confusing because whilst some person's idea of freedom is to be able to buy a piece of land knowing what he or she will be able to do with it and proceed to do that, another sees it as being able to do what *they* want, whether authorized or not – perhaps the essence of the problem of certainty v. flexibility. On this issue see Dunham (1964).

particularly to encourage innovation, originality, and variety. From a property rights point of view, a disadvantage of flexibility is not being able to readily ascertain what your rights are or are likely to be.[15] Also, it may be expensive and time-consuming to acquire the necessary rights. All of this detracts from the philosophy of rights and duties, as the ability to find out what they are is an important element. All that can be said in summary, then, is that in this respect the nature of land use and land use planning makes it impossible to attain a perfect system of property rights as far as the use right is concerned, but it can only strive for the best possible solution. This is no worse than the common law, *laissez faire*, situation (incidentally, the law of nuisance remains in force though of less significance), but if you are going to set up an elaborate system of use rights, there is an obligation to make it as certain as possible, and also to provide for matters than cannot be dealt with in this way. The issue will always be controversial, because there will always be some people who want more certainty, and some who want more flexibility.

8. SOME CONCLUSIONS

The principal conclusion, therefore, is that the old idea of an owner being able to do what he wants with his land has gone by the board. Instead, the right to use is determined in and by the planning process. On the initial introduction of land use planning to an area, owners' rights to use are affected – from virtually whatever they wish to what the system or scheme provides. Their main protection is for the plan provisions to be, as far as possible, fair and reasonable and supportable on good planning grounds. One common safety valve was the existing use right – the owner may carry on using the land in the way he has in the past, but his right to change that is now determined by the planning provisions.

Anyone who buys land after the planning provisions are in place[16] (the common situation nowadays) can ascertain what property rights he or she is acquiring, although only up to a point. As just mentioned, the use right is 'deficient' in respect of certainty. Adding to what was said, there is the matter of plan or provision/rule changes. In that case it can truly be said that owners' valuable property rights are being affected. Fortunately, in growth situations changes usually mean an increase in value, but if not the question of compensation arises (which, however, as a technical issue has never been satisfactorily resolved).[17] Remember also the property rights of persons who merely want to passively enjoy them and are affected or potentially affected by someone else's development. The points about uncertainty from the use determination process or from change apply just as importantly to them.

As far as the right to hold and dispose of land is concerned, this has not been affected substantially by planning except for the taking of land for planning purposes. Urbanization has increased the demand for land for public purposes and this will have detracted from the right to hold and dispose for some owners. This is recognized by the payment of compensation, although not necessarily adequately. Fair market value is the usual standard, but this does not take account of the cost of a forced sale and removal, fair market value being determined by the actions of willing sellers.[18]

---

15 Also, and more importantly for many people, it means uncertainty as to what might happen on neighbouring land.

16 Not forgetting that there will probably be interim powers of control while the scheme is being prepared – usually, of necessity, of a somewhat arbitrary nature.

17 Notice that the distinction between the rights to hold and dispose, and the rights to use and enjoy, is highlighted in the conceptually different compensation for the taking of land (mentioned in the next paragraph), and compensation for the loss of use rights. Of course, the value of a piece of land reflects the use rights attached to it, but the difference is between having your land taken in entirety, and just losing some of your use rights.

18 Illustrated by an attempt to deal with the problem to some extent in The Public Works Act 1981, ss 72-76, "Additional Compensation."

9. PRIVATELY DETERMINED PROPERTY RIGHTS

Thus far the discourse has been about the determination of property rights in land by government. But Government (in the broad sense covering the judiciary as well as the legislature, the executive, and the administration), through law, may empower private persons to make property rights arrangements amongst themselves, within and not contrary to the general law (especially planning plans). For example, restrictive covenants are an arrangement[19] between certain property owners whereby one owner agrees not to exercise his or her use rights in certain ways (or to exercise them in certain ways, although, strictly, restrictive covenants should be negative) for the benefit of the other owner or owners (or there may be mutual obligations and benefits). For example, not to build a building over a certain height, or to use the land only for certain purposes. Originally, the restrictive covenant was between two parcels of land, the dominant tenement and the servient tenement. Later the "Building Scheme" approach was developed under which all parcels of land part of a single comprehensive subdivision could be subject to and benefit from certain specified restrictive covenants.[20]

As another example, under a lease or licence, in some cases involving a partial assignment of the rights to hold and dispose, owners may allow some third party to exercise some of their use rights, probably in return for a payment. The other property rights are retained by the owner, all this being spelt out in the lease or licence. With generous provisions, a lessee can be put in a position approaching that of an owner. Other arrangements are recognized by the law, and altogether there are various ways the property rights may be split up and distributed amongst more than one separate person.

10. FINAL SUMMARY AND CONCLUSION

Property rights in land consist of the rights to hold and dispose of land, and the rights to use and enjoy land. The rights to hold and dispose are not seriously affected by plan provisions (except for a proposal involving compulsory acquisition), but the rights to use and enjoy are. At common law, a land owner had the right to determine the use of his or her land. Most land is privately owned (especially in urban areas) and land use is therefore determined primarily by private land owners through the exercise of their use rights. But because land use planning deals principally with land use, it must deal with property rights in land. It not only deals with them but usually goes a long way in determining what they are. Determining land use is now a joint exercise between land owners and the planning authority. A conception of land use planning as determining property rights in land, especially the use right, will, it is believed, help the land use planner to carry out his or her functions.

11. REFERENCES

Chapin, F. Stuart, *Urban Land Use Planning.* Urbana: University of Illinois Press, 2nd edition, 1965.

Delafons, John, *Land-use Controls in the United States.* Cambridge, Mass.: The M.I.T. Press, 2nd edition, 1969.

Dunham, Allison, "Property, City Planning, and Liberty," in Charles M Haar (ed), *Law and Land: Anglo-American Planning Practice.* Cambridge, Mass.: The M.I.T. Press, 1964.

Honoré, A. M., "Ownership" in A. G. Guest (ed), *Oxford Essays in Jurisprudence* (First Series). Oxford: Clarendon Press, 1961.

McLoughlin, J. Brian, *Urban and Regional Planning: a Systems Approach.* London: Faber and Faber, 1969.

Macpherson, C. B. (ed), *Property: Mainstream and Critical Positions.* Toronto: University of Toronto Press, 1978.

---

19 Arising from common law, but possibly also recognized by statute.

20 See, for example, Delafons (1969) pp 85ff. The relationship between these private arrangements and planning schemes seems to be that the former cannot override the latter, and that there cannot be any detraction from the provisions of the scheme to the detriment of third parties.

Property: Its Rights and Duties. Essays by various writers with an Introduction by The Bishop of Oxford. London: Macmillan and Co, 1913.

Indigenous Planning in New Zealand: An Analysis of the Recent Developments and their Theoretical Context

Angelika SCHODER[1]

[1]Postgraduate Student
Master of Natural Resources Management and Ecological Engineering (NARMEE)
University of Natural Resources and Life Sciences (BOKU), Vienna, Austria
Lincoln University, Christchurch, New Zealand

ABSTRACT

The article aims to show how indigenous planning in New Zealand has developed over the last two and a half decades – both in relation to the evolution of general statutory planning and to relevant planning theories. Additionally, the article examines the effectiveness of Ngai Tahu's iwi planning documents. The revoked Runanga Iwi Act 1990, the Resource Management Act 1991, the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Marine and Coastal Area (Takutai Moana) Act 2011 each contain provisions for iwi planning. This can be linked to overarching politics of devolution and neoliberalism, as well as to a more collaborative and participatory approach to planning in general. However, some authors criticize iwi-based indigenous planning for its inaptitude to capture diverse Maori realities and identify it as a structuralist and pragmatic concept. Looking at the effects of Ngai Tahu's iwi planning documents on the South-West Christchurch Area Plan no influence on specific issues can be identified. Based on postmodern and poststructuralist planning theory, suggested improvements to Te Runanga o Ngai Tahu Freshwater Policy are to address more explicitly how it shall be implemented, to use a more distinctive indigenous approach, and to pay particular attention to the "contact zone" – that is, the cultural interface. Based on these findings the conclusion is drawn that recent developments in New Zealand show, to a certain degree, attempts at including postmodern approaches in the form of empowerment and participation of indigenous people. However, there are still shortcomings in turning this intention into practice, mainly due to the rational fundamentals of the planning system and to the difficulty of integrating alternative concepts of spatial governance.

Keywords: indigenous planning, iwi planning documents, Maori, New Zealand, planning theory

1. INTRODUCTION

Postcolonial planning systems face the challenge of diverging interests in and perceptions of space when indigenous rights become involved (Howitt and Lunkapis, 2010). The conventional modernist approach to planning tends to neglect these issues and to deal with them in a paternalistic, top-down manner that restricts real participation and customary activities of indigenous people (ibid). New Zealand has a long history of considering Maori interests in planning activities, which goes back until the Treaty of Waitangi was signed in 1840 (Lashley, 2000). As iwi – tribal collectives – are the entities usually considered as adequate for taking part in those activities (Lashley, 2000; Maaka and Fleras, 2005), the

terms *"indigenous planning"* and *"iwi planning"* are often used synonymously in the further course of the article; however, being aware that both expressions are contested concepts themselves (Howitt and Lunkapis, 2010; Maaka and Fleras, 2005).

The purpose of this article is to illustrate the development of indigenous planning in New Zealand over the last two and a half decades, starting with the Runanga Iwi Act 1990 (RIA). Further legal documents considered are the Resource Management Act 1991 (RMA), the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (WTRCSA), and the Marine and Coastal Area (Takutai Moana) Act 2011 (MCAA). The first section explains and compares

the provisions for iwi planning under these Acts, and relates them to the evolution of general statutory planning in New Zealand. Based on this background, the effectiveness of Ngai Tahu's planning documents on structural planning for one of Christchurch's main growth areas is examined in the second section, and subsequently possible improvements are identified. Both sections link their findings to planning theories, leading to conclusions about the underlying philosophy in New Zealand's approach to indigenous planning. Ultimately, the aim is to answer the question whether the recent developments indicate a departure from the traditional modernist concept, towards more subversive forms of indigenous planning – that is, whether indigenous planning in New Zealand means planning *for* or planning *by* indigenous people (Howitt and Lunkapis, 2010).

2. THE DEVELOPMENT OF INDIGENOUS PLANNING IN NEW ZEALAND

2.1. The RIA and its provisions for iwi planning

The RIA was adopted in 1990 under the Fourth Labour government in the wake of a general endeavor at public sector reform and devolution (Lashley, 2000). Its aims are:

(a) To acknowledge the enduring, traditional significance and importance of the iwi; and
(b) To identify the characteristics by which iwi are to be recognised for the purposes of this Act; and
(c) To provide for the incorporation of runanga to represent iwi in accordance with charters prepared by iwi; and
(d) To provide a process for the resolution of conflicts that may arise within an iwi or between incorporated runanga; and
(e) To provide for the registration by any iwi of a body corporate as the authorised voice of the iwi" (RIA, Preamble).

Thus, it mainly provides for the formalities around application, incorporation, and liquidation of runanga and other authorised voices of iwi, which lies within the province of the Maori Land Court. This would have resulted in a form of subnational governance, connecting the state with tribal entities for developing social programs at the community level (Lashley, 2000). However,

before substantive implementation, the Act was revoked under the following National Party government with the Runanga Iwi Act Repeal Act 1991. According to Winston Peters, Minister of Maori Affairs at that time, the reasons for the repeal were the RIA's implication that government can dictate to Maori how to define tribal territories, that it was developed without consultation of Maori representatives and thus not accepted by them, that it would lead to "inundation" with numerous further institutions requiring public funding, that it fails to efficiently address social and economic problems of Maori, and that it does not account for Maori without any tribal affiliation (McSoriley, 2007). Furthermore, opponents criticize that it places iwi as subordinate to the state in decision making, which contradicts the equal party concept of the Treaty of Waitangi (Lashley, 2000).

Provisions for iwi planning under the RIA are found in Section 77, which states that runanga or authorised voices can at any time prepare *iwi management plans* for the iwi they represent. These are documents that provide "a resource management planning overview of those matters that are of significance for the organisation and development of the iwi" (RIA, Section 77(2).

2.2. Further provisions for iwi planning in New Zealand legislation: RMA, WTRCSA, and MCAA.

Like the RIA, the RMA falls under the devolutionary reform at the end of the 20th century (Lashley, 2000; McSoriley, 2007). Again, there is the notion of an "iwi authority" having the right to represent that iwi (RMA, Section 2(1)). Local authorities can transfer some of their powers under the RMA to iwi (ibid, Section 33) or make joint management agreements (ibid, Section 36B), and must therefore keep records about iwi and hapu in their region or district, including planning documents recognized by these groups (ibid, Section 35A). The latter have to be considered by regional and territorial authorities during plan preparation (ibid, Sections 61(2A) and 74(2A)). These *iwi planning documents* replaced the iwi management plans, which were provided for in the RIA, and initially also in the RMA (McSoriley, 2007).

The WTRCSA, in contrast to the previous two Acts, is as a whole dedicated to restoring the

relationship between the Waikato-Tainui tribe and the Waikato River, which has been disturbed by past development of towns, agriculture, resource extraction, and hydropower along that river (see e.g. WTRCSA, Preamble and Section 4). To implement the vision and strategy of this Act it provides for the establishment of the Waikato River Authority, (WTRCSA, Section 22), which consists of both iwi and Crown members (Mutu, 2010; WTRCSA, Schedule 6(2)). Further important features of the Act are its focus on an integrated river management plan (WTRCSA, Sections 35-38) and joint management (ibid, Sections 41-55). Moreover, the Waikato River Authority may prepare an environmental plan in consultation with Waikato-Tainui marae (ibid, Section 39). Looking at these provisions, it can be argued that the WTRCSA focuses less on tribal entities than the RIA and RMA, but incorporates both iwi and non-iwi into one authority. However, this might lead to a dilution of iwi interests, and some Maori feel that their claims are not sufficiently acknowledged and that they have "[…] only a limited say in the management of the river" (Mutu, 2010, 182).

The WTRCSA recognizes customary activities (WTRCSA, Sections 56-63); and so does the MCAA, which replaces the Foreshore and Seabed Act 2004, that was heavily criticized because it was perceived to eliminate the before mentioned activities (Makgill and Rennie, 2011; MCAA, Preamble). The MCAA focuses on a "common marine and coastal area" (MCAA, Part 2) and states that:

> "A customary marine title group has a right to prepare a planning document in accordance with its tikanga." (ibid, Section 85(1))

Regional councils not only have to take these planning documents into account, but have to take positive action to make changes to regional plans and policies if necessary, which shifts considerable weight to iwi planning and contrasts with the provisions for balancing interests and public participation in the RMA (Makgill and Rennie, 2011).

3. IWI PLANNING IN THE LARGER POLITICAL AND THEORETICAL CONTEXT

Linking statutory Maori planning to the evolution of general statutory planning in New Zealand since the 1980s, two major common threads can be found, namely devolution (McKinlay, 1990; Lashley, 2000) and neoliberalism (Lashley, 2000; Webster, 2002). Devolution is (at least rhetorically) accompanied by collaborative and participatory planning and decision-making (McKinlay, 1990), and provisions for this can be found in all of the four Acts, as described above.

Incorporating indigenous rights into New Zealand's planning system has mainly been a response to Maori protest against injustice and marginalization in the 20th century (Lashley, 2000). Connecting this with critical postpositivist planning theories (Huxley, 2010) as well as identifying characteristics of the political-economic mobilization paradigm (Lawrence, 2000) would therefore be an obvious step. Nonetheless, it must be observed in this context that devolution is not synonymous with Maori self-determination (Jones, 1990), and drawing conclusions whether iwi planning is consistent with indigenous rights and meets Maori needs and aspirations requires a closer investigation of the legal documents and their implementation.

Planning provisions in the RIA, RMA, and MCAA put a strong emphasis on tribal entities, while the WTRCSA focuses less on iwi and hapu, which seems surprising given the fact that Maori interests are in the center of this Act. However, a tribal approach to planning is not without criticism. Maaka and Fleras (2005) argue that the importance of the hierarchical structure of iwi, hapu and whanau – most notably formalized in the RIA – is a colonial construct that fails to account for the complexity, dynamics, and fluid nature of Maori social and political relationships. They call iwi-based management a "structuralist" concept which has been chosen by the government because it fits well into the political, legal, and economic system (Maaka and Fleras, 2005); thus the European concept is regarded as the baseline for conducting public affairs (O'Sullivan, 2007). Relating this to planning theory, structuralism fits well with rational and pragmatic approaches to planning (Lawrence, 2000) – to the former because it relies on formal organizations and processes, and to the latter

because it is a convenient way of including Maori interests into planning without carrying out major political reforms. As a logical consequence Maaka and Fleras (2005) suggest "poststructuralism" as a way of capturing diverse Maori realities, which can be seen as compatible with postmodern and postpositivist planning theories (Allmendinger, 2002; Popke, 2003).

A further critical aspect of iwi planning concerns its status as compared to other planning authorities. On the one hand, it has been argued that the RIA and RMA (Lashley, 2000) as well as the WTRCSA (Mutu, 2010) place iwi as subordinate to the state and do not recognize that they are autonomous authorities in their own right. On the other hand, the MCAA gives iwi planning a special status and disproportionate influence. This raises the normative question of how much power iwi *should* have, and whether it is appropriate to create "[...] two parallel but separate sets of law governing resource use and development [...]" (Makgill and Rennie, 2011, 7) within one nation and under the aim of sustainable provisions for participatory planning under the RMA (ibid).

This discussion forms the basis for the subsequent consideration of Ngai Tahu's iwi planning documents and their application in structural planning for the South-West Christchurch Area.

4. STATUTORY PLAN ANALYSIS: NGAI TAHU'S IWI PLANNING DOCUMENTS

Ngai Tahu are a tribal collective that cover wide ranges of the South Island. They are represented by Te Runanga o Ngai Tahu and several local runanga (Te Runanga o Ngai Tahu, 1996). This section refers to three iwi planning documents prepared by this group:

- *Ngai Tahu 2025* (Te Runanga o Ngai Tahu, 2001), which is the main strategic document that provides for the tribal development of Ngai Tahu;
- The *Freshwater Policy* (Te Runanga o Ngai Tahu, 1999), which is an official iwi planning document for the RMA and outlines Ngai Tahu's approach to management of freshwater resources; and

- *Te Waihora Joint Management Plan* (Te Runanga o Ngai Tahu, 2005), which sets the frame for joint management of Te Waihora / Lake Ellesmere by iwi and the Department of Conservation.

This section aims to describe how these documents have affected the South-West Christchurch Area Plan (SWAP – CCC, 2009) and to suggest improvements for enhancing the effectiveness of the *Freshwater Policy*, based on postmodern and poststructuralist planning theory.

The effects of Ngai Tahu's iwi planning documents on the SWAP

Figure 1: Location of the SWAP area in the wider Christchurch City and Banks Peninsula District context (CCC, 2009, 15)
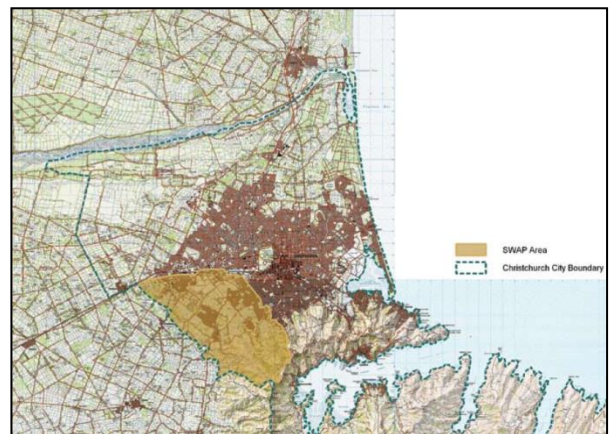
The SWAP is a structural plan under the Urban Development Strategy which focuses on one of Christchurch's key growth areas (Figure 1). There are provisions that Ngai Tahu runanga must be consulted in the implementation of this plan (CCC, 2009, 8 and 70); however, no indications show that iwi planning documents directly influenced its preparation. Some of the key issues identified (ibid, 26) and the respective goals (ibid, 38-43) concern aspects that are covered by the *Freshwater Policy* and *Te Waihora Joint Management Plan* – For example water environment, ecology, landscape – but to say that there is a direct connection between the SWAP and these documents would be highly speculative. More specific reference is made to tangata whenua values in general terms. One of the goals is to "actively protect and restore

values significant to tangata whenua, both historic and contemporary" (CCC, 2009, 46), with a detailed map where such sites of significance are located (ibid, 47).

Overall, it can be concluded that Ngai Tahu's planning documents had very little influence on the SWAT, at least as far as specific, explicit issues are concerned. However, one can ask the question whether these documents are specific enough to allow for such a direct influence; this will be addressed in more detail in the following paragraphs. The claim that "the council must *develop methods* to ensure tangata whenua values are embraced by all those involved in the development of the South-West" (CCC, 2009, 27; own emphasis) suggests that this is not sufficiently reached by the existing iwi planning documents. What might have been achieved, though, is an increased general awareness of tangata whenua values.

4.1. Suggested improvements to Te Runanga o Ngai Tahu Freshwater Policy

The *Freshwater Policy* has been chosen for the purpose of critically reviewing options to enhance its effectiveness on statutory plans prepared under the RMA for two reasons:

- The perceived shortcomings of this document to make detailed provisions concerning its implementation, especially as compared to *Te Waihora Management Plan;* and
- Its significance as an official iwi planning document for resource management, as opposed to *Ngai Tahu 2025*, which mainly affects and concerns iwi themselves.

It has been shown above that there are major shortcomings in iwi planning documents to enable a shift from the general to a more specific level of resource management. An example within the *Freshwater Policy* that demonstrates this is the whole chapter "Ngai Tahu's Freshwater Policy Statement" (Te Runanga o Ngai Tahu, 1999, 29-45). Although it provides a good overview of strategies and connects them with Ngai Tahu's values, it does not specifically state where, by whom, and when these strategies

should be implemented. Ngai Tahu seem to be rather clear about the role they want to play themselves in resource management, but not so much about their interface to other authorities. A possible improvement would be to address these interfaces more specifically – not just mentioning "the council" or "resource managers", but being more precise. Including maps, drawings, or similar graphical resources might furthermore improve effectiveness; the plan completely lacks this kind of supporting material.

The *Freshwater Policy* makes an attempt at showing how Ngai Tahu understand water and what this means for resource management (Te Runanga o Ngai Tahu, 1999, 14-16). However, in its core there is still little that distinguishes this iwi planning document from plans of other authorities, e.g. regional councils, which usually also include Maori terms and values. It would be worthwhile to investigate whether a more uniquely indigenous approach – however this might look like – could improve recognition and thus also effectiveness.

The suggested improvements have been mainly influenced by postmodern and poststructuralist literature on indigenous planning (e.g. Popke, 2003; Prout and Howitt, 2009; Barry and Porter, 2011). These theories underline that indigenous people frequently have different conceptualizations of natural space and societal organization than their colonizing powers, and that planning and policymaking tends to impose a rational eurocentric system even in a postcolonial context. Barry and Porter (2011) highlight the importance of the "contact zone", which can be defined as "the social spaces where cultures meet, clash and grapple with each other, often in contexts of highly asymmetrical relations of power […]" (Pratt, 1991; cited in Barry and Porter, 2011). At this contact zone, writing planning texts can on the one hand lead to freezing indigenous people in established categories; on the other hand, it can mediate institutional change. To understand this it is not enough to look at the written document in isolation, but it is necessary to examine its interpretation and practical application (Barry and Porter, 2011).

5. CONCLUSION

Looking at the development of both statutory Maori planning and general statutory planning, it can be concluded that each has shown attempts at including postmodern approaches, be it in the form of participatory (RMA) or integrative (WTRCSA) planning. However, the planning regime in its fundaments is still rational, based on hierarchical structures and hegemonic power relationships. It is difficult to discern a general tendency at this stage, but the most recent MCAA includes some subversive features which might shift the balance. What this means for planning practice has yet to be seen.

Poststructuralist and postmodern planning theory requires the need to look beyond the planning document itself, and to regard it in the larger context of interpretation and implementation. This is exactly what has been done in the second section of this article, and it can be concluded that although Ngai Tahu's *Freshwater Policy* incorporates some features of subversive planning, there is ample room for improvement to make it both an outstanding and effective iwi planning document.

The findings from both sections indicate that efforts are made by the traditional "owners" of the planning system as well as by Maori to lift indigenous planning in New Zealand to a level of *real* empowerment and participation. However, there are deficiencies as both sides to turn these good intentions into practice, because difficulties are encountered when incorporating indigenous knowledge, organization, and customs into structures that are deeply rooted in the European system of governing space. Referring to the question posed in the introduction to this article, provisions for allowing planning *by* Maori exist in the legislation, but this does not automatically guarantee that it happens in practice.

Finally, it must be acknowledged that Maori as well as European descendants live in New Zealand as one nation, and that planning takes place under the common goal of ensuring the wellbeing of present and future generations. In this context it is important to find ways of spatial governance that are mutually satisfying while allowing at the same time to achieve the desired outcomes. Conversely, recent developments show the tendency to alienate "indigenous" and "non-indigenous" planning (one of the indications for this being the constant distinction between the two) instead of developing mechanisms for reconciliation and for profiting from cultural diversity.

6. REFERENCES

Allmendinger, P. (2002). *Towards a post-positivist typology of planning theory. Planning Theory, 1(1), 77-99.*

Barry, J.; Porter, L. (2011). *Indigenous recognition in state-based planning systems: Understanding textual mediation in the contact zone. Planning Theory, 11(2), 170-187.*

Christchurch City Council (2009). *South-West Christchurch Area Plan. In* http://www.ccc.govt.nz/thecouncil/policies reportsstrategies/areaplans/southwest/index.aspx *(accessed 2012-05-25)*

Howitt, R; Lunkapis, J. (2010). *Coexistence: Planning and the challenge of indigenous rights. In Hillier, J.; Healey P. (Eds.). The Ashgate Research Companion to Planning Theory: Conceptual challenges for spatial planning. Farnham, UK, Ashgate, 109-133.*

Huxley, M. (2010). *Problematizing planning: Critical and efficient genealogies. In Hillier, J.; Healey, P. (Eds.). The Ashgate Research Companion to Planning Theory: Conceptual challenges for spatial planning. Farnham (UK), Ashgate, 135-157.*

Jones, S. (1990). *Iwi and Government. In McKinlay, P. (Ed.). Redistribution of Power? Devolution in New Zealand. Wellington, Victoria University Press, 64-78.*

Lashley, M.E. (2000). *Implementing Treaty Settlements via Indigenous Institutions: Social Justice and Detribalization in New Zealand. Contemporary Pacific, 12(1), 1-55.*

Lawrence, D.P. (2000). *Planning theories and environmental impact assessment. Environmental Impact Assessment Review, 20, 607-625.*

Maaka, R.; Fleras, A. (2005). *The Politics of indigeneity. Challenging the state in Canada and Aotearoa New Zealand. Dunedin, University of Otago Press, 84-91.*

Makgill, R.A.; Rennie, H.G. (2011). *The Marine and Coastal Area Act 2011. Resource Management Journal, 1-7.*

McKinlay, P. (Ed.). Redistribution of Power? Devolution in New Zealand. Wellington, Victoria University Press.

McSoriley (2007). Bills Digest No. 1580. Wellington, New Zealand Parliamentary Library. In http://www.parliament.nz/en-NZ/PB/Legislation/Bills/BillsDigests/ (accessed 2012-05-25).

Mutu, M. (2010). Maori Issues. Contemporary Pacific, 22(1), 179-184.

O'Sullivan, D. (2007). Beyond Biculturalism. The Politics of an Indigenous Minority. Wellington, Huia Publishers.

Popke, E.J. (2003). Poststructuralist ethics: subjectivity, responsibility and the space of community. Progress in Human Geography, 27(3), 298–316.

Pratt, M.L. (1991). The arts of the contact zone. Profession, 91, 33–40.

Prout, S.; Howitt, R. (2009). Frontier imaginings and subversive Indigenous spatialities. Journal of Rural Studies, 25, 396-403.

Te Runanga o Ngai Tahu (1996). About Ngai Tahu. In http://www.ngaitahu.iwi.nz/About-Ngai-Tahu/ (accessed 2012-05-25).

Te Runanga o Ngai Tahu (1999). Freshwater Policy. In http://www.ngaitahu.co.nz/Ngai-Tahu-Whanui/Natural-Environment/Environmental-Policy-Planning/Freshwater-Policy.php (accessed 2012-05-25).

Te Runanga o Ngai Tahu (2001). Ngai Tahu 2025. In http://www.ngaitahu.iwi.nz/Publications/Governance/#2025 (accessed 2012-05-25). Te Runanga o Ngai Tahu (2005).

Te Waihora Joint Management Plan. In http://www.doc.govt.nz/publications/about-doc/role/policies-and-plans/conservation-management-plans/te-waihora-joint-management-plan/ (accessed 2012-05-25).

Webster, S. (2002). Maori retribalization and treaty rights to the New Zealand fisheries. Contemporary Pacific, 14(2), 341-376.

The Ferrymead 'Water's Edge Apartments': a life story

Michelle RUSKE

ABSTRACT

High rise developments dominate skylines and are contentious in many low rise urban environments. Christchurch is no exception and its residents have historically been vocal in articulating their opinions on matters they care about, especially in regard to projects they perceive will ruin their 'garden city'. At the turn of the millennium, developers were preparing yet another proposal which would get the tongues wagging in Christchurch with the development of the former Ferrymead Tavern site on Ferry Road. The planning process was a long and antagonistic one with many individuals viewing the built towers with a look of 'disgust' and discontent. In an ironic twist, the seismic activity in Christchurch over the last few years which has had major implications for a range of planning issues, incrementally led to the death of highly controversial Ferrymead 'Water's Edge' Apartments.

1. HISTORY

1099 Ferry Road, Christchurch is a highly visible and prominent allotment by the estuary and numerous commuters pass the site every day. The site in question has a rich and somewhat colourful history as home to the Ferrymead Tavern which resided on the site, in one form or another, since the early settler days in Canterbury. The first liquor licence granted to the site dates back as far as 1854 (The Star, 2005), making the property a water hole for almost of all of Canterbury's existence. The Ferrymead tavern was owned by the 'Dymand' family for more than 25 years before development was extensively proposed for the site (Dymand, 2006).

2. PREVIOUS CONSENT APPLICATIONS

Between 2004 and 2006 a number of resource consent applications went through the Christchurch City Council in relation to the Ferry Road site. The first application was for a fourteen storey office block (height of 53m), with an adjacent ten storey car park building. The application was processed by an independent commissioner (Christchurch City Council, 2004) on a non-notified basis (Dymand,

2006) and was granted consent on December 23 2004. In July of that year a 1,300 persons' petition was presented to the Christchurch City Council in opposition to the application, and seeking a height restriction for the Business 4 zone in the Christchurch City Plan (Christchurch City Council, 2004). In particular, residents were concerned that the plan provided no height restriction for such a prominent piece of land. "The commissioner was not able to take into account other issues such as the bulk or height of the building (the structure complies with the City Plan rules) as his discretion is restricted to the matters of non-compliance only" (Christchurch City Council, 2004). The Commissioner felt that the other issues he could legally comment on in the proposal produced environmental effects which could be regarded as 'less than minor'.

The following year a second application for a scaled down proposal of a seven story office block with a reduced height of 28 metres (Christchurch City Council, 2005) was made. This proposal also included a 10 storey associated complimentary car-parking complex (Dymand, 2006). Again, this application was referred to an independent Commissioner who approved the proposal on a non-notified basis.
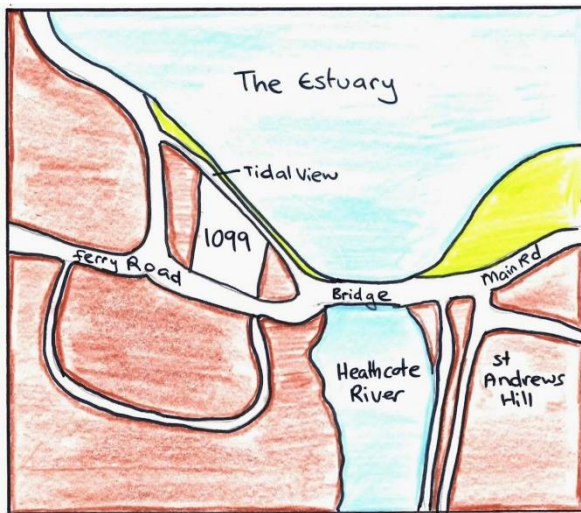
(Fig. 1): Sketch of the 1099 Ferry Road where the Ferrymead Apartments were developed. The close proximity to the Heathcote River mouth and the estuary is highlighted above. (Michelle Ruske, 5 August 2012)

3. THE RESIDENTIAL PROPOSAL

Development did not commence on either of the two previous resource consents and in September 2005 a further resource consent application was made for a seven storey (36 unit) residential building with basement car parking (Dymand, 2006). This proposal was assessed on a limited-notified basis as a discretionary activity, breaking one community standard and four development standards (Fort, 2006). A total of seven submissions were received during the submission period – two in support of the proposal, three in opposition and a further two submissions which did not state a position. A hearing was held on 8 February 2006 and a week later the Commissioner, John Milligan, granted consent subject to six conditions predominantly around such issues of landscaping, lighting and noise (Milligan, 2006).

4. WATER'S EDGE APARTMENTS

The infamous apartments designed by Warren and Mahoney were constructed in 2008 in three stages, and were marketed as offering an alternative high end residential option (NZ Herald, 2008). The apartments design has been described as 'cutting edge', 'modern' and importantly unlike the nearby Mitre 10, aesthetically matching, fitting in with the colours of the existing environment. The complimentary matching concrete and dark-hued zinc exterior and the level of detail that had gone into the apartments were elements of the design strongly accentuated to potential owners. A range of

different apartment options were included, with the asking price varying from $750,000 to the luxury penthouse apartments of up to $2.8 million (Dally, 2008). Interestingly, in October 2008 only two of the new apartment owners were external purchasers (not from Christchurch) showing that even though it was termed a notorious development by the local community, it was still widely supported by local buyers.

5. SEISMIC ACTION

Water Edge Apartments enjoyed a mere two years of existence before mother earth began a cataclysmic seismic attack on Christchurch in September 2010. The apartments were initially thought to have fared well in the earthquakes and it was suggested that the expensive liquefaction hazard mitigation employed was successful. The foundations of Waters Edge were strengthened during construction by drilling 12 metres below the surface to reach bedrock. The technique then used stone poured into the drill holes which was later compacted (Collins, 2011). It was well known that the site was at a high risk of liquefaction and hence measures were taken to reduce the risk.

The impact on the apartments was greater than expected with the building damaged after the February earthquake and then further damaged in the June 13 2011 aftershock (Young, 2012). The building was left on a consequential lean, the basement suffered significant flooding and the concrete was cracked in numerous places (Greer Associates, 2011). As a result, the decision was made that the building was beyond safe repair. Unfortunately, or fortunately for those residents who still viewed the apartments as a violation on the skyline, the apartment complex was added to CERA's demolition list in May 2012 (CERA, 2012).

Upon visiting the site in July 2012 with the demolition freshly completed, one could see the estuary liquefaction boils and the significant lateral spreading on the site surrounds which contributed to the buildings lean. It would arguably take a brave architect or developer with high insurance backing to attempt another high rise building on this site. The resource consent for the site promises to be an expensive process and the added earthquake mitigation requirements will likely mean that the site is left vacant for a while. It should be noted that as of July 2012 there were no plans to rebuild on the site and no

resource consents had been lodged with the Christchurch City Council.

The remains of the 'Waters Edge' Apartments following demolition.
Photo taken by Michelle Ruske (22 July 2012)

A number of planning issues are exemplified in the life story of the Ferrymead apartments and an attempt to briefly explain some of these follows. One of the major problems and criticisms of this apartment was as to whether the consent applications should have been publically notified even though the activity was permitted under the plan. The council could have shown the community that it was serious about consultation and notified regardless, going over and above that which was required. The subjective phrase regarding whether a projects effects are less or more than minor continues to be an area which lacks clarity and transparency in resource management. The general public as a whole in this development would have most likely appreciated a broken down description in non-planning jargon as to why the process occurred as it did and hence why public consultation was not carried out. Problems with the notification process and the controversy surrounding the application were hindered further by the role the media played in 'stirring the pot'. Publishing in particular an incorrect "architectural impression" of the proposed building for the site based off a consent application created more hype and confusion than was necessary. Unfortunately, this is a continuous battle for planners and developers alike. This is unproductive in assisting the planning process as it leaves the public 'ill-informed' and concerned about matters they need not be.

A further issue which the Water's Edge Apartments highlight is in relation to earthquakes. New Zealand is a geological dream, full of natural hazards of almost every kind, and as a result when rebuilding Christchurch we know earthquakes are not a once off scenario – they can be guaranteed to occur in the future. Hence we need to ask whether we design buildings, so that they can endure numerous earthquakes (post-quake serviceability (Smith, 2011)) or whether they are designed so that like Water's Edge, they are beyond repair but perform in such a way that no loss of life is endured and that they will not collapse. When it is the human race verse Mother Nature it is possible that we ought to design so that although uneconomic no loss of life occurs.

Significant lateral spreading on Tidal View
Photo taken by Michelle Ruske (22 July 2012)

Regardless of these issues the irony surrounding this story remains – the apartments which were so hotly contested in Christchurch are no longer a part of the landscape as nature intervened. The non-notified and controversial 'Park Towers' in Christchurch followed a similar demise, exemplifying that no matter how much we plan and consider potential options we never really know what the outcome will be as planning is not 'predictable'. It is full of uncertainties which can only be mitigated, but never eliminated (Quiggin, 2007).

Michelle Ruske has completed the final year of her Bachelor of Environmental Management and Planning with a minor in professional planning. The newly

appointed NZPI Lincoln University Representative, she has commenced postgraduate study (MEP) in 2013.

6. REFERENCES

CERA. (2012, May 9). Demolitions. Retrieved July 21, 2012, from Canterbury Earthquake Recovery Authority: http://cera.govt.nz/demolitions/list

Christchurch City Council. (2004, December 8). Commissioner to decide about Ferrymead Development. Press Release: Christchurch City Council. Christchurch, New Zealand. Retrieved July 20, 2012, from http://www.scoop.co.nz/stories/AK0412/S00063/commissioner-to-decide-about-ferrymead-development.htm

Christchurch City Council. (2004, December 24). Ferrymead Tavern site gets green light. Press Release: Christchurch City Council. Christchurch, New Zealand. Retrieved July 20, 2012, from http://www.scoop.co.nz/stories/AK0412/S00195.htm

Christchurch City Council. (2004, July 1). Mintues of a Meeting of the Christchurch City Council Held at 2pm on Thursday 1 July 2004. Christchurch, New Zealand. Retrieved July 20, 2012, from http://www1.ccc.govt.nz/council/proceedings/2004/july/cnclcover29th/minutes1july2004.pdf

Christchurch City Council. (2005, February 11). Council receives application for Ferrymead Site. Press Release: Christchurch City Council. Christchurch, New Zealand. Retrieved July 20, 2012, from http://www.scoop.co.nz/stories/AK0502/S00132/council-receives-application-for-ferrymead-site.htm

Collins, S. (2011, March 2). No more high rises for rebuilt quake city. New Zealand: New Zealand Herald. Retrieved July 18, 2012, from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10709604

Dally, J. (2008, October 31). Ferrymead high-rise apartments slow to sell. Christchurch: The Star Canterbury. Retrieved July 18, 2012, from http://www.starcanterbury.co.nz/news/ferrymead-high-rise-apartments-slow-to-sell/998854/

Dymand, L. M. (2006, February 8). Statement of Evidence in the Matter of The Resource Management Act 1991 and in the matter of an application by Ferrymead Tavern Limited. Christchurch, Canterbury: Christchurch City Council 1099 Ferrymead Data File.

Fort, A. (2006, February 8). RMA20020983 - 1099 Ferry Road. Report on Notified Resource Consent Application . Christchurch, New Zealand: Linwood Service Centre Offices, Christchurch City Council.

Greer Associates. (2011, November 8). Performance of Improved Ground. Geotechnical Reconnaissance of the 2011, Christchurch, New Zealand Earthquake. Retrieved August 2, 2012, from http://www.geerassociation.org/GEER_Post%20EQ%20Reports/Christchurch_2011/Cover_Christchurch_2011.html

Milligan, J. (2006, February 13). Decision of the Commissioner. RMA 20020983. Christchurch, New Zealand.

NZ Herald. (2008, August 13). Modern end to old school ties. New Zealand Herald.

Quiggin, J. (2007). Uncertainty, risk, and water management in Australia. In L. Crase, Water Policy in Australia: the impact of change and uncertainty (pp. 61-73). Washington DC: RFF Press.

Smith, C. (2011). EQ Hazards in New Zealand. [PowerPoint slides]. [Available from Lincoln University myLincoln SOSC 223 Web site.]

The Star. (2005, February 2005). Tower plan death knell for iconic tavern. The Star Canterbury. Christchurch, New Zealand. Retrieved July 20, 2012, from http://www.starcanterbury.co.nz/news/tower-plan-death-knell-for-iconic-tavern/941572

Young, R. (2012, May 5). Demo begins on $38 million Ferrymead flats: Controversial apartments to go. The Press. Retrieved July 18, 2012, from http://www.stuff.co.nz/the-press/news/christchurch-earthquake-2011/6926559/Demo-begins-for-38m-Ferrymead-flats

Creating a Chinatown – Considerations for Christchurch

Grace DUYNDAM

ABSTRACT

With the recent innovation and development within Christchurch following the earthquakes there have been suggestions of developing an ethnic precinct or 'Chinatown' within the city. This article explores the possibility of this and its potential benefits.

1. INTRODUCTION

In May 2011, following the devastation from the earthquake that rocked the city earlier that year, the Christchurch City Council (CCC) launched its "Share an Idea" initiative, a project which lasted six weeks and collected more than 106,000 ideas from over 10,000 local participants (Christchurch City Council, 2011). These ideas were collated into a technical report and included as an appendix in the 2011 Draft Central City Plan (Draft Central City Recovery Plan, December 2011). Among the comments was the distinct desire for more 'ethnic' based areas, in particular the need for a Chinatown, an area imagined as being specifically for Chinese shops, restaurants and outdoor markets. While the creation of such an area may well enhance Christchurch's tourism and international image, some preconceptions must be analysed before undertaking such a project – namely, what are people looking for when they call for a 'Chinatown' and is it something that can be artificially constructed?

2. CHINATOWNS WITHIN NEW ZEALAND – A RECENT HISTORY

Within the CCC Draft Recovery Plan Share an Idea Summary, many respondents expressed the desire for more ethnic diversity within the city, in particular the creation of a Chinatown:

"I want Chinatown. Every great city has one."
"Ethnic enclaves, e.g. Chinatown…"
"Chinatown. Every great city has one, the city centre is big enough and needs different district. Another SOL Square and Poplar Lane, with a Chinatown feel would be brilliant."

The respondents cited tourism, entertainment, retail and dining as the main reasons for these suggestions (Draft Central City Recovery Plan, December 2011, Technical Appendix A).

In 2008, the Auckland City Council had the same idea, and developed a plan to create a Chinatown district in New Lynn ('Chinatown on the cards for New Lynn,' November 2008). Planned to 'transform New Lynn' and fill the gap of a designated ethnic enclave precinct in New Zealand, it was meant to open in 2010 at the Waitakere Moon Festival ('Chinatown on West Auckland's horizon,' December 2008). However, plans fell through when the council and the newspapers received a series of angry

letters from the public against the plan ('Chinatown idea canned,' January 2009). Without public support, the idea fell through and the concept of a Chinatown for New Zealand was put on the shelf.

However, the idea was rekindled when in 2011 a 20-year master plan was released to the Auckland Future Vision Committee, detailing plans for the reinvigoration for Auckland's city centre (Harvey, S., February 2011). The plans included a proposal to create a Chinatown district in order to enforce Auckland's image as an international, multi-cultural city. The plan was spurred by the production of a study and report at Massey University which analysed Auckland's Dominion Road as an ethnic enclave and suggested that this area could be capitalised on to increase tourist interest (Dominion Rd is Auckland's Chinatown – Study, June 2011). The report, co-authored by Professor Paul Spoonley, research director for the University's College of Humanities and Social Sciences, pointed out that parts of Dominion Road had been developing as ethnic precincts over the last 20 years and could be capitalised upon to incite economic growth, tourism and opportunities for new immigrants. Indeed this area has already gained much popularity as a tourist site, being listed as number 32 in '100 things we love about Auckland' (*New Zealand Herald, 2012*). It was also pointed out that Auckland had yet to recognise ethnic precincts as a civic asset, and that this set it apart from other significant international cities, such as Toronto, San Francisco, Melbourne and New York, all of which had distinguished Chinatown districts. It was speculated that this has resulted in lost business opportunities both locally and internationally (Dominion Rd is Auckland's Chinatown – Study, June 2011). The report suggested a branded precinct or "...something more modest such as decorations or signage which reflects the Asian/Chinese character of sections of Dominion Road" (Tan, June 2011).

The result of these considerations is the creation of a designated cluster of Asian shops, markets, restaurants and entertainment areas in an enclosed shopping area on Ti Rakau Drive, in East Auckland. It is planned to open in October of 2012 and will help provide 'an authentic experience' to locals and tourists (Williams, 2010).

3. CHRISTCHURCH'S 'DOMINION ROAD'

Although Auckland's first attempt at establishing a Chinatown failed due to public dissent, the second attempt and impending success of the Auckland City Plan to develop an established Chinatown area could be attributed to a change in public mindset on the topic, helped in part by the public discourse on the subject as well as the recommendations from the university, as well as the recognition given to areas that had already developed as ethnic enclaves in their own right, such as Dominion Road. If this is what it takes to create an established Chinatown, does Christchurch have an area that has developed as a Chinese enclave?

Ethnic enclaves have traditionally referred to spatially confined areas where there is a concentration of an ethnic minority group (Luk & Phan, 2005). By looking at the distribution of Asian-identified residents within the city of Christchurch, a potential enclave area can be identified based on population numbers (figure 1.0). Within Christchurch, 17.5% of the Asian-identified population lives in the Western suburbs of Riccarton, Ilam, Sockburn and Upper Riccarton (Table 1.0). This area is home to Peerswick Mall shopping centre at the junction of Yaldhurst and Waimari Roads, the area commonly referred to as 'Chinatown' among the Asian locals (Anthony Chang; Gerard Chin, personal communication August 8th, 2012). While not exclusively Chinese, (the area contains a Korean grocer and a Japanese tea shop) it is an area that consists almost exclusively of Asian-run shops, including restaurants, grocers, health shops and an

electronics retailer aimed at the Asian market (Figure 1.2 and 1.3)

Indeed, the multi-ethnic nature of the area is consistent with the description that Luk and Phan (2005) discuss, describing 'new' Chinatowns that develop as a mix of Asian Cultures in the suburbs of international cities.

Figure 1.2 – China Town market at Peerswick Mall, the shop that gives the area the name of 'Chinatown' among the local Asian population. (Photo: Grace Duyndam)

Figure 1.3 – Zy Joy Market in Peerswick Mall, Christchurch. (Photo: Grace Duyndam)

4. CONCERNS OF AUTHENTICITY – 'REAL' VS 'FAKE'

During the consideration and development of the plans for Chinatown areas in Auckland, concerns were voiced about the validity of constructing an artificial Chinatown, as opposed to letting one develop naturally. In studies on the subject, the traditional view of Chinatowns is that they are 'towns within cities' (Lai, 1988) or residentially segregated sites where immigrants of certain ethnicities congregate

(Luk, 2005). Traditionally, Chinatowns have been viewed as areas of physical decay and social vice, and it was not until recently that they have been seen as areas of positive opportunity for economic growth. Chinatowns have sprung up all around the world in various cities – San Francisco in the United States being the most well-known.

In 2011 Auckland City councillors Sandra Coney and Mike Lee expressed their concerns about the authenticity of the Chinatown project, saying that such an area should evolve by itself as opposed to being planned (Harvey, February 2011). Luk and Phan (2005) discuss ethnic enclaves as areas arising from immigrants' desire to keep their culture alive in a foreign land, and thus occur naturally as immigrants arrive in a new area. Even the 2011 report by Massey University states that these areas help "maintain their cultural identities by speaking a native language, eating familiar foods and meeting with others born in their homeland" ('Dominion Rd is Auckland's Chinatown – Study,' June 2011) – they simply suggest that this naturally arising opportunity be capitalised upon.

However, the difference between a naturally occurring Chinatown and one that is constructed by the council as a tourist outlet can result in two entirely different outcomes – is this perhaps why non-Asian Christchurch residents do not recognise their local Chinatown? According to Du-Dehart (2012) it is often the case that ethnic enclaves develop as a result of segregation of the community, and therefore isolation of the pocket communities can occur. Is the delicate balance between maintaining authenticity and encouraging non-Asian patronage the key to creating a successful Chinatown area? If so, then this must be one of the key considerations in its development.

Another concerned raised was the issue of alienation – both of the Asian population concerned and the local New Zealander population (Editorial: Chinatown ideas doesn't

need city's nurturing, 2011; Tan, 2011). Segregation was also a concern, with the labelling of a distinct 'Chinatown' causing alarm. Avoiding these issues is an important consideration in creating a thriving ethnic precinct.

One final concern raised was the issue of aesthetics and planning regulations, particularly on the subject of signs. A Massey University study of ethnic (non-English language; see figure 1.4) signs showed that the majority of New Zealanders were uncomfortable with them, reacting with 'annoyance' (Tan & Donnell, 2012). Was this perhaps one of the reasons why the New Lynn development project failed?

Figure 1.4 – Chinese signs at Peerswick Mall, Christchurch. Signs similar to these were shown to be adversely received by the New Zealand public (Tan & Donnell, 2012). (Photo: Grace Duyndam).

In light of all of these concerns, it seems apparent that what the Kiwi population is calling for may not be the traditional Chinatown that has developed through natural segregation in older cities, but rather a constructed, tourist area, carefully planned and presented. This disconnect in ideals must be addressed before any concrete plans are made to either develop a designated Chinatown area in Christchurch or to take steps to foster the development of a naturally occurring ethnic precinct in the suburbs. In either case, the City Council's vision and the desires of the public must be aligned.

5. CONCLUSION

In 2011, the Share an Idea survey by the Christchurch City Council received numerous responses asking for a Chinatown area in the city. Although the 2012 Central City Plan does not plan for any such area, there is the potential for developing one in the western suburbs of the city where the Asian resident population is the highest and there are already established Asian-owned businesses. However, the area called for by Christchurch residents may be dissimilar to what is traditionally considered a 'Chinatown.' Therefore the CCC should take great consideration before investing effort into the establishment of such an area, whether by active planning or through passive fostering of the areas which already exist.

* Grace Duyndam is a third-year student at Lincoln University, finishing her degree in Environmental Management and Planning.

6. REFERENCES

100 things we love about Auckland. (2012, July 16). *New Zealand Herald.* Retrieved from http://www.nzherald.co.nz/lifestyle/news/article.cfm?c_id=6&objectid=10819895

Chinatown idea canned. (2009, January 7). *Western Leader.* Retrieved from http://www.stuff.co.nz/auckland/local-news/western-leader/786006/Chinatown-idea-canned

Chinatown on the cards for New Lynn. (2008, November 21). *Western Leader.* Retrieved from http://www.stuff.co.nz/auckland/local-news/western-leader/728942/Chinatown-on-the-cards-for-New-Lynn

Chinatown on West Auckland's horizon. (2008, December 4). *National.* Retrieved from http://www.stuff.co.nz/national/746382/Chinatown-on-West-Aucklands-horizon

Christchurch City Council. (2011, November 24). 'Share an Idea' wins international award. Retrieved 12 August 2012 from http://www.ccc.govt.nz/thecouncil/newsmedia/mediareleases/2011/201111241.aspx

Christchurch City Council. (2011, December). *Draft Central City Recovery Plan, Technical Appendices.*

Dominion Rd is Auckland's Chinatown – Study. (2011, June 20). *Voxy Newswire.* Retrieved from http://www.voxy.co.nz/lifestyle/dominion-rd-auckland%E2%80%99s-chinatown-study/1861/92607

Du-Dehart, E. (2012). Chinatowns and borderlands: Inter-Asian encounters in the diaspora. *Modern Asian Studies, 46*(2): 425-451.

Editorial: Chinatown ideas doesn't need city's nurturing. (2011, June 27). *New Zealand Herald.* Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10734661

Harvey, S. (2011, February 2). Radical plans for Auckland announced. *Auckland Now.* Retrieved from http://www.stuff.co.nz/auckland/4607383/Radical-plans-for-Auckland-announced

Lai, D. C. (1988). *Chinatowns: Towns within cities in Canada.* Vancouver, Canada: University of British Columbia Press.

Luk, C. (2005). Contextualizing the emergence of new Chinatowns: An introduction. *GeoJournal, 64:* 1-6.

Luk, C. & Phan, M. (2005). Ethnic enclave reconfiguration: A 'new Chinatown in the making. *GeoJournal, 64:* 17-30.

Tan, L. (2011, June 20). Chinatown pitched for city strip. *New Zealand Herald.* Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10733252

Tan, L. & Donnell, H. (2012, May 15). Ethnic signs: Poll confirms Kiwis uncomfortable. *New Zealand Herald.* Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10806033

Williams, N. (2010, July 23). Chinatown hub to enhance area. *Eastern Courier.* Retrieved from http://www.stuff.co.nz/auckland/local news/eastern-courier/3945459/Chinatown-hub-to-enhance-area

Balance or Bias? A critical appraisal of progress to date of New Zealand's Exclusive Economic Zone and Continental Shelf (Environmental Effects) Bill

Lara PETER & Ruth MARKHAM-SHORT

Lincoln University, Christchurch, New Zealand

ABSTRACT

The following article is an abridged version of a report prepared for the ERST 635 Group Case Study as part of the Master of Environmental Policy programme at Lincoln University in 2012. The purpose of this study was to analyse the policy process and development behind New Zealand's Exclusive Economic Zone and Continental Shelf legislation, which recently was enacted and is now law. The authors of the full report are David Birch, Roby Fadillah, Beatriz Iriarte Marrero, Ruth Markham-Short, Alicia Paulsen and Lara Peter.

1. INTRODUCTION

New Zealand has the sixth largest Exclusive Economic Zone (EEZ) in the world. The EEZ extends from 12 to 200 nautical miles offshore, whereas the Continental Shelf (CS) extends from the edge of the EEZ to the limits of the continental shelf. Together the EEZ and the CS contain approximately 5.75 million square kilometres, which is the equivalent to more than 20 times the land mass of New Zealand. Under the United Nations Convention on the Law of the Sea (1982), coastal nations have the right to develop, extract and manage all resources which lie on the ocean floor of their EEZ's and CS's. Although to date there has been no attempt to assess the monetary value of New Zealand's EEZ and CS, it is without doubt that the exploitation of these resources will bring great economic benefits to New Zealand. However, at the same time the marine ecosystem requires protection.

2. NEW ZEALAND AND THE EEZ

The beginnings of New Zealand's EEZ and CS legislation can be dated back to the 1980s, when the Environment Act 1986 passed Parliament and the development of the Resource Management Act 1991 commenced. Political parties, environmental interest groups and industry welcomed efforts to regulate the EEZ and CS. However, by the early 2000s, after years of debate and research not much progress had been made, and the marine environment was getting little attention. It was not until 2006, when the New Zealand government made a submission to the United Nations Commission on the Limits of the Continental Shelf to identify its CS, that the deep sea area itself finally made it onto the political agenda. The 2007 Ministry for the Environment discussion paper "Improving Regulation of Environmental Effects in New Zealand's Exclusive Economic Zone", marks the first time legislation was raised as a way to manage the EEZ and CS. Despite these plans, the 2008 change in government from Labour-Progressive to National combined with the global economic recession delayed draft legislation until June 2011, when former Minister for the Environment Hon Nick Smith announced that legislation would be prepared to fill the legislative gap. However, already from 2009 substantial regulatory reform to recover the economy included extensive funding for the extension of oil and gas exploration in the marine area. The EEZ Bill passed its first reading before the House

on 13th September 2011 and was enacted on 3rd September 2012.

During its development process the EEZ Act received criticism from the political opposition and environmental stakeholders. The main points of criticism were related to the comparatively weak adaption of the precautionary approach, the fact that there is no right to appeal to the Environment Court under the EEZ Act, and the lack of reference to sustainable development or sustainable management, which is central to the RMA 1991. In particular, the Labour Party criticised the draft legislation for being a "developer's agenda" (Charles Chauvel, list Member of Parliament for the New Zealand Labour Party, Hansard Debates, 13th September 2011). Furthermore, the Environmental Defence Society and other stakeholders raised concerns about the capacity of the Environmental Protection Authority to be the consenting authority and decide on applications for activities under the EEZ Act. However, the central point of reference for criticism was the purpose of the draft legislation, namely the "balance between the protection of the environment and economic development". The inherent problem with this purpose is that it aimed to balance two elements (the environment and the economy) that can never be balanced. It is only possible to balance things that are separate from each other. At this stage the EEZ Bill was a rather technical piece of legislation with a diffuse problem definition, a vague purpose and a narrow concept of the environment which did not adequately reflect the nested nature of the environment, society and the economy.

As a result of the strong criticism, the final Act has been aligned with the RMA and now states as its purpose the sustainable management of the natural resources of the EEZ and CS. Furthermore, the formerly rather weak penalties for non-compliances were raised from a maximum of $600,000 to $10 million, and the transition period for permits was increased from 6 to 12 months. Regulations are currently being developed for the technical details of the Act. However, some of the opposition's objections, such as the lack of public participation, the missing access to the Environment Court and a lack of guidelines for environmental impact assessments under the Act, have not been reflected in the final legislation.

Although economic growth seems to have been the driving factor behind the policy process, particularly during the time before the first reading of the Bill, the final EEZ Act does to some extent provide for environmental protection. The concerns about the legislation, both at the time before the first reading and the still remaining concerns, can be linked back to the policy development process. Factors such as political power and hierarchy, institutions, normative and positivist aspects (science, values and different kinds of knowledge), the struggle for balancing different worldviews, as well as environmental and economic matters, and methods of decision making have shaped this process. The biggest methodological challenge for analysing this process was to make valid assumptions about the connections between these factors, and to find evidence for the causation of these factors for the policy outcome.

As students of ERST 635 we undertook a field trip to Wellington to interview representatives of the Environmental Protection Authority (EPA), the Green Party and the Environment and Conservation Organisation of Aotearoa (ECO) and also received comments from Hon Amy Adams. However, our interviews were certainly not representative, and whilst they provided some valuable information, our methodological soundness would have benefitted from more time to conduct further interviews. Our conclusion is that some significant weaknesses in the policy process (such as the lack of public participation) tended to be reflected in the policy itself, which may or may not be inherent to New Zealand's system of political decision making.

3. CONCLUSION

For planners at the local and regional level, the EEZ Act is a further indication of a slow deferral of political power from the regional level to central government and its authorities, such as the EPA. Whilst this can be justified for an (inter)national issue such as marine resources, the EEZ Act fails to reflect that it is indeed the regional councils who have authority over some of these resources (within 12 nautical miles) - this may be another signal of the current tendency to centralise environmental decision making in New Zealand.

The state of planning – have we lost our roots?

Roger BOULTER

Planning originated from and has been kept alive, by input from outside its professional field. It started in anger, and a determination to do something about unacceptable living conditions, which through the Industrial Revolution had caught society unawares.

In the wake of earlier housing and factory reforms, Ebenezer Howard's dream set out in *Garden Cities of Tomorrow* (1902), came to be backed by the architecture and surveying professions, then by government. Meanwhile in New Zealand, Michael Joseph Savage implemented what he called *"practical Christianity"* in the form of ambitious state housing programmes and associated reforms. Neither Howard nor Savage were from a professional planning background.

By the 1960s, planning had become an established profession of some status, and lost touch with its lay campaigning roots. It took another non-professional campaigner, Jane Jacobs through *The Death and Life of Great American Cities* (1961), to wake planners up to the social and economic damage they were doing by sweeping aside physically deprived, but socially vibrant, areas. The 1971 film *A Clockwork Orange*, set in a 'concrete jungle' development, implies a social critiqueon how menacing and dehumanising the new areas could be.

Since then we've witnessed the Reagan/ Thatcher era, where pro-active 'town planning' was seen as a burden on business, to be reined back. In New Zealand the government saw the physical form of cities as something for 'the market' and private sector to determine, in the years following the 1991 Resource

Management Act. In time a reaction came, in the form of the 2005 *Urban Design Protocol,* but this was not a return to the best of 'town planning'

Whilst planning does usually imply physical built environment changes, at its essence it is after something more, such as Ebenezer Howard's *"Peaceful Path to Real Reform"* (from *Garden Cities of Tomorrow*'s original title) or Michael Joseph Savage's *"practical Christianity".* Some urban design is more commercially driven than motivated by the public good. Despite much value from giving urban designers their creative head, the place of what they produce its wider context is also important. Many new settlements relate poorly to wider society, urban form or transport networks and one such Christchurch example would be Pegasus.

We must be alert to, and even seek out, the next generation of 'voices out of left field', whose input would be vital to keeping planning alive and relevant.

In the current climate there is a lot of focus on the money-based economy and infrastructure development. However, infrastructure is not necessarily beneficial – witness the 1960s 'concrete jungles' – and there is much which does not express itself in conventional economic prosperity measures.

Some voices (such as *Fleeing Vesuvius,* 2011, again a non-professional source) are warning that the stability of money itself (as distinct from individual currencies) is increasingly shaky as a result of slowed growth in fossil fuel availability, and suggest possible responses.

Some planning commentators are warning how vulnerable we make ourselves if we neglect interdependence across society. For example, 'gated communities' (or virtual 'gated communities without gates') may turn their backs on wider society in ways which ultimately would bear bad fruit for everyone. Contrasting with this, in Christchurch a good example and role model would be *Project Lyttelton* with its associated *Lyttelton Time Bank*, credited with Lyttelton people weathering the earthquakes crisis more resiliently than in many other areas. In the Beatles' words, they got by with a little bit of help from their friends.

The Resource Management Act can only cover local rather than global environmental effects – another 'gap' in our planning, just as physical built environment quality was once neglected. A 'voice' worth listening to may be the *Transition Towns* movement, which brings together a wide range of practical ideas on how local communities might adapt to global ecological challenges.

Being alert to pertinent 'voices' from outside our professional circle may mean that a large part of continuing professional development will come from reading, writing and discussion outside conventional 'course attendance'. There is now a wealth of bodies and mailing lists to join, websites to delve into, subjects on which to make Google searches, and discussion forums to engage with. These embrace a wide range of different contributions, giving scope for really valuable contributions to be heard. Potential outlets for our findings range from blogs to journals. Also, by the time material becomes commercially viable as a course subject, it may already have become somewhat 'established', and thus more suitable for foundational rather than continuing professional development (such as degree or extra-mural university courses).

I suggest that planning is in danger of losing its roots through being insufficiently alert to relevant 'voices' from external professional sources. I have suggested a few 'voices' which might be worth listening to, and other readers may be able to add to these. The main lesson I would draw, however, is to be alert. After all, people outside 'the profession' are in touch with the 'real world' and are on the 'receiving end' of our planning.

*Roger Boulter is an urban and transport planner based in Carterton in the Wairarapa. He has 36 years' professional practice experience, working first in Birmingham, England until 1995, then Hamilton, New Zealand, before moving to Carterton in 2006. Since 2003 he has run his own consultancy, Boulter Consulting.

REFERENCES

Davie, P. (2011). Transition Thinking; the Good Life 2.0 in Fleeing Vesuvius cited below.

Howard, E. (Second Edition, 1902). Garden Cities of Tomorrow. London, England: S. Sonnenschein & Co.

Jacobs, J. (1993 [1961]). The Death and Life of Great American Cities. New York, USA: Random House.

Jefferies, M. (2011). Lyttelton: A Case Study in Fleeing Vesuvius cited below.

Living Economies Educational Trust (New Zealand Edition 2011). Fleeing Vesuvius. Carterton, New Zealand: Living Economies Educational Trust

McDougal, S. Y. (2003). Stanley Kubrick's A Clockwork Orange. Cambridge, England: Cambridge University Press.

Planning Relevant Lincoln University Student Theses and Dissertations completed in 2011

Hamish G RENNIE

Lincoln University, Christchurch, New Zealand

1. INTRODUCTION

The compilation of any list of 'planning-relevant' research is always somewhat arbitrary and reflecting of the perspective of the compiler and the data source. The following list reflects my view that planners do not simply rely on research undertaken by planners, but draw on research by a variety of cognate disciplines. Environmental planners especially draw on research on the 'natural' or biophysical environment and have a close affinity with environmental managers. The planning programme at Lincoln has particular strengths in environmental planning and requires a degree of scientific environmental knowledge. Lincoln is also a host of the Waterways Centre and water and nutrients are among the key issues for environmental, regional and rural planners in New Zealand. Lincoln is also a national centre for bioprotection research and environmental planners are involved with pest management planning and conservation planning. Tourism, parks, reserves and recreation planning also feature prominently at Lincoln and often involve core urban planning issues as in Robert Zonnenveld's PhD in the list. As the New Zealand University with the highest percentage of international students it is only natural that Lincoln has a strong interest in planning issues in other countries. In the list of theses and dissertations produced here, I have included only those that I consider could be relevant to planners. Some of the more scientific theses have been chosen because of their particular relevance to issues that are currently prominent for our planners, such as Eva Harris' work on biochar and riparian restoration. I have attempted a somewhat arbitrary grouping of theses under sub-headings to facilitate easy identification of theses likely to be of most relevance to particular fields of planning.

2. PLANNING-RELEVANT READING

The following list is compiled from the Lincoln University library online catalogue. As students are required to submit e-versions of their completed theses this is considered a complete record of planning-relevant theses and dissertations in 2011, There may be some omissions due to delays in final grading or because some dissertations were not uploaded by their authors. My apologies to any student overlooked. As some 2012 theses are still being graded, the list is restricted to those in 2011. The 2012 list will appear in volume 5(1) of LPR.

2.1. URBAN PLANNING AND DESIGN

- Ayres, Hannah Mary "Disaster by design: the role of Landscape Architects in the Canterbury earthquake recovery", dissertation, Master of Landscape Architecture.
http://hdl.handle.net/10182/4372
- Behrens, Friederike M.-L. "Selecting public street and park trees for urban environments: the role of ecological and biogeographical criteria", thesis, Doctor of Philosophy.
ttp://hdl.handle.net/10182/4183
- Boyd, Felicity "The evolution of a state-funded subdivision – a case study: Aranui and Wainoni", dissertation, Master of Environmental Policy.
http://hdl.handle.net/10182/4398
- Fifield, R.L. "Integrated stormwater management in the Avon River catchment", thesis, Master of Landscape Architecture.
http://hdl.handle.net/10182/3841

- Flanagan, M.M. "Addington 2041 : a platform for change", thesis, Master of Landscape Architecture. http://hdl.handle.net/10182/4037
- Gao, Xia (Cindy) "Accessibility of housing loan affect on homeownership in urban China: a case study of Nanjing", thesis, Master of Commerce and Management. http://hdl.handle.net/10182/4359
- Grenier, Agathe "Electric transportation and the impact on local electricity management: a case study of electric public and private transport in Christchurch, New Zealand", dissertation, Master of Applied Science (Environmental Management). http://hdl.handle.net/10182/5278
- Hinshelwood, Andrew "Buried in paper: policy implementation networks and their role in shaping archaeology policy", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4058
- Hunt, Sarah Margarette "A comparison of the performance of contrasting stormwater treatment systems, Ryelands Subdivision, Lincoln, Canterbury", thesis, Master of Applied Science. http://hdl.handle.net/10182/3852
- Mackay, Michael "DIY (do-it-yourself) home improvement in New Zealand", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4696
- Perrett, G. A. "The key drivers and barriers to the sustainable development of commercial property in New Zealand", dissertation, Master of Property Studies. http://hdl.handle.net/10182/4257
- Pyne, Laura Kate "Streetscape: dialogues of street + house", thesis, Master of Landscape Architecture. http://hdl.handle.net/10182/4430
- Rowan, Thesa Saracanlao "Revisiting Boracay Island, the Philippines: an integrated coastal zone management perspective", thesis, Master of Applied Science. http://hdl.handle.net/10182/4427
- Yassin, Azlina Binti Md. "Developing new guidelines for riverfront development in Malaysia", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4267
- Zonneveld, R.T. "Lost in transitions: staging global tourism in local small towns", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4543

2.2. RURAL AND ENVIRONMENTAL PLANNING

- Chand, Narendra Bahadur "Production efficiency of community forestry in Nepal : a stochastic frontier analysis", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/3770
- Czerepowicz, Lindsay "Exploring satellite image analysis methods for characterizing Canterbury shelterbelts, and the application to carbon modelling", thesis, Master of Applied Science. http://hdl.handle.net/10182/3926
- Lorca, Vilma O. "Challenges in integrating indigenous and state interests to advance sustainable use of forest resources: the case of the Bukidnon forestry project, Philippines", thesis, Master of Applied Science. http://hdl.handle.net/10182/4488
- McFarlane, J. "Cutting up the high country: the social construction of tenure review and ecological sustainability", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4134
- Moore, Carrie "Spiritual experiences and environmentalism of recreational users in the marine environment: New Zealand surfers and scuba divers", thesis, Master of Natural Resources Management and Ecological Engineering. http://hdl.handle.net/10182/3881
- Nazra, Aminath "Understanding the spread of riparian restoration in the Te Waihora/Lake Ellesmere catchment", dissertation, Master of Applied Science (Environmental Management). http://hdl.handle.net/10182/3908
- Rawlinson, Philippa Jane "The influence of the black and white tide: dairy farming, landscape and community change", thesis, Degree of Master of Social Science. http://hdl.handle.net/10182/4609
- Reid, John David "Maori land: a strategy for overcoming constraints on development´, thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4184
- Safa, Majeed "Determination and modelling of energy consumption in wheat production using neural networks: a case study in Canterbury Province, New Zealand", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4009
- Smith, Daniel E. "Eco-n adoption patterns and strategies of South Island dairy

farmers", dissertation, Master of Applied Science. http://hdl.handle.net/10182/3442

- Vixathep, K. "Women's participation in community development projects: the case of Khmu women in Laos", thesis, Master of Applied Science. http://hdl.handle.net/10182/3956
- Welsch, Johannes "Perception and attitudes of landowners towards re-establishing native vegetation on private land", thesis, Masters of Natural Resources Management and Ecological Engineering. http://hdl.handle.net/10182/4278

2.3. RESOURCE CONSENTS, MONITORING AND ASSESSMENT

- Collins, Kathryn Elizabeth "Benefits of riparian planting : a case study of lowland streams in the Lake Ellesmere catchment", thesis, Master of Resource Studies. http://hdl.handle.net/10182/3835
- Edwards, Stuart "Regionally dissected temperature and rainfall models for the South Island of New Zealand", dissertation, Master of Applied Science (Environmental Management). http://hdl.handle.net/10182/4199
- Harris, Eva May "Impact of biochar amendment on nutrient retention by riparian soils", thesis, Master of Applied Science. http://hdl.handle.net/10182/4246
- Hicks, Kate "Sanctity on stage : investigating the social impacts of tourism to, and tourists at, sacred places", thesis, Master of Tourism Management. http://hdl.handle.net/10182/4926
- Jackson, Wendy L. "Integrating ecological impacts into evaluations of the effectiveness of environmental regimes: the example of CITES", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4146
- Lucci, Gina Marie "Tracing critical source areas of phosphorus in grassland catchments", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4045
- Taghizadeh-Toosi, Arezoo "Ammonia and nitrous oxide emissions from soils under ruminant urine patches and the effects of

biochar amendment on these emissions and plant nitrogen uptake", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4020

- Waters, Alex Sean "Aluminium in AMD streams on the Stockton Plateau: is dilution a management solution?" dissertation, Master of Applied Science (Environmental Management). http://hdl.handle.net/10182/3832

2.4. RECREATION AND TOURISM PLANNING

- Bith, Bunly "Community-based ecotourism and empowerment of indigenous people: the case of Yeak Laom community development, Cambodia", thesis, Master of Tourism Management. http://hdl.handle.net/10182/3865
- Huang, Yue "An analysis of the development of Chinese heritage sites in New Zealand and their potential for tourism", thesis, Master of Tourism Management. http://hdl.handle.net/10182/3990
- Lo, Simon H.Y. "Adventure education and the acculturation of Chinese Canadians in Vancouver, Canada", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/3918
- Strickert, Graham E.H. "Mixing with the mountains: socio-cultural viability with respect to compounding natural hazards: a case-study of alpine ski areas", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/3894

2.4.1. BIOSECURITY AND PEST MANAGEMENT PLANNING

- Lindsay, Karel Richard "The impacts of climate change on the summerfruit industry with respect to insect pest incursions", Master of Applied Science, http://hdl.handle.net/10182/3955
- Sakata, Keisuke "Forensic approaches to monitoring and individually identifying New Zealand vertebrate pests", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/3771
- Sam, Shona A. "New monitoring and control tools for simultaneously managing possums, rats and mice in New Zealand", thesis, Doctor of Philosophy. http://hdl.handle.net/10182/4537

Southern Environmental Trust

Bob BLYTH

Convener of Southern Environmental Trust

ABSTRACT

In 1990, the then World President of Rotary International, Paulo V.C. Costa of Brazil, made an urgent call to Rotarians to "take up" global environmental action, and inaugurated Rotary's "Preserve Planet Earth" Programme. Four areas of concern were focused on in the seminars at the first international conference – air, flora, fauna and water. The Southern Environmental Trust was formed in 1995 by the Rotary Club of Christchurch South on behalf of Rotary District 9970 to raise awareness within the community on environmental issues by holding annual public seminars. This followed four lectures organised by the Rotary Club of Christchurch South.

1. THE SOUTHERN ENVIRONMENTAL TRUST AIMS

- To promote public awareness of environmental matters pertaining to land, air, and water in their natural, adapted or artificial state.
- To promote use, development, protection, research and public interest in managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety including sustaining the potential of natural physical and resources to meet the needs of future generations.
- To encourage a public awareness of and commitment to care and consideration for the environment.
- To encourage special interest groups to listen to and respect each other's views.
- To enable the public to be better informed about issues affecting their environment.
- To stress suitable occupancy and use of the environment.
- To facilitate study and research for the better understanding of issues.

2. PREVIOUS ENVIRONMENTAL SEMINARS

1991	Professor Leon Phillips of the University of Canterbury – The Hole in the Ozone Layer
1992	Dr Mike Freeman, Pollution Control Officer at the Canterbury Regional Council – The Availability and Quality of Water in Canterbury
1993	Dr Freeman Patterson, eminent Canadian naturalist photographer and writer – Human Perception and Ecological Awareness
1994	Murray Binnie, Facilities Development Officer for the Christchurch City Council – The Setting-up of Christchurch's First Community Composting Facility at Bexley
1995	Sir Edmund Hillary – Launch of Southern Environmental Trust
1996	Hon. Philip Burdon – Trade's Impact on our Environment

1997	Controlling the Christchurch Smog
1998	Can we Afford to Breathe Easy?
1999	Wise Water Use: the Issues are not Crystal Clear
2000	The Estuary: Christchurch's Showpiece or Sump?
2001	Want, Not Waste
2002	Global Warming: Meltdown for Canterbury
2003	Have we got the Energy to Cope? Hon. Pete Hodgson, Energy Minister Dr Keith Turner, CEO, Meridian Energy Dr Don Elder, CEO, Solid Energy New Zealand Barrie Hill, Australian Nuclear Energy Expert
2004	Disaster – Are We Ready? Tony Boyle, ECan Rivers and Hazards Manager Bob Kirk, Professor, University of Canterbury Steve Christensen, Beca Geotechnical Expert on Liquefaction Jarg Pettinga, Association Professor, University of Canterbury, Geological Sciences Peter Kingsbury, ECan Hazards Analyst
2005	Water for All? Hon. Jim Anderson, MP, General Government Policy on Water Sir Kerry Burke, Chairman, ECan – Requirements: Human Use/Quality of Water Josh Carmody, Australian Water Allocation Expert Tom Lambie, President, Federated Farmers – Opuha Dam Experience and Irrigation
2006	The Greater Christchurch Urban Growth Strategy Vanessa Harvey, Director, SGS, Brisbane, Australia Wayne MacDonald, General Manager, Transport Planning, Transit New Zealand Ray Davy, Principal, Conway Davy Ltd Ken Tremain, Development Planning Specialist
2008	Changing Climates – Hot Topic for Canterbury The Hon. David Parker, Minister Responsible for Climate Change Issues Peter Townsend, CEO, Canterbury Chamber of Commerce David Wratt, General Manager, Climate Change, NIWA
2009	The RMA – Progress or Procrastination Peter Skelton Hon. Nick Smith, MP Mark Christensen, Anderson Lloyd, Lawyers Bob Batty, Planit CANCELLED
2010	No public forum due to earthquakes.
2011	No public forum due to earthquakes.
2012	Sustainable Water Use (Urban and Rural Canterbury) Peter Townsend, CEO, Canterbury Employers Chambers of Commerce Professor Ali Memon, Lincoln University Hon. David Caygill, Commissioner, ECan Dr Henry Hudson, Scientist Roger Young, Water Rights Trust

3. MARCH 2012 – SOUTHERN ENVIRONMENTAL TRUST SCHOLARSHIP

To The Southern Environmental Trust offers a scholarship to provide assistance to students from Lincoln University undertaking studies related to environmental management. One scholarship is offered annually to a full time student studying at Lincoln University.   The current value of the scholarship is $1,500. Applicants who have successfully passed their first year of study in the Bachelor of

Environmental Management are eligible to apply. Applicants must also be New Zealand Citizens or Permanent Residents.
Further details and application forms are available from the Lincoln University website www.lincoln.ac.nz.

3.1. Previous recipients:

May 2011 – Southern Environmental Trust Scholarship Award 2011
Laura Waterhouse
June 2009 – Southern Environmental Trust Scholarship Award 2009
Anna Conroy
May 2008 – Southern environmental Trust Scholarship Award 2008
Katie Collins

Waihora Ellesmere Trust - translating plans into action

Ruth MARKHAM-SHORT and Adrienne LOMAX[1]

[1]*Manager of the Waihora Ellesmere Trust*

Words are all well and good, but actions really can speak louder when it comes to protecting and restoring biodiversity.

Waihora Ellesmere Trust (WET), established in 2003, is an organisation which has a strong tradition of both words and actions. Founded to drive the implementation of a comprehensive *Community Strategy* (which was developed over two years of deliberation and consultation in the early 2000s), WET has sought to achieve the community's vision for Te Waihora/Lake Ellesmere in a variety of ways.

WET has recently reviewed the *Community Strategy* and developed a new *Action Plan* – a way to articulate WET's role and guide their activities. As part of this process WET also reaffirmed a commitment to promoting consultation, involvement and action and to working collaboratively to achieve the Vision for the Lake.

While there has been plenty of emphasis on education and facilitating discussion, WET has also looked for opportunities to demonstrate best practice, particularly with respect to riparian restoration on the rivers, streams and drains which discharge to the lake.

These waterways drain the surrounding land and focusing on their management is recognition of the interconnectedness of the catchment and the lake – to improve the health and biodiversity of the lake will require a significant shift in the way land is managed. It is expected that restoration of indigenous riparian vegetation will, over time, improve the water quality, particularly through the provision of shade. However, a more immediate gain is the opportunity to bring back some indigenous biodiversity to the Canterbury Plains.

1. WET AND TAK – WORKING TOGETHER

Te Ara Kākāriki (TAK): Greenway Canterbury Trust is a not-for-profit community group that was established in 2006 to promote native plants and plant communities on the Canterbury Plains. Kākāriki is the Māori word for green and also for the native parakeet. Te Ara translates as the pathway. They aim to address the historical loss of indigenous vegetation (less than 1% now remains on the Canterbury Plains), while demonstrating the economic and ecological benefits of native plants. TAK's activities are focused on the Selwyn District, where less than 0.5% of the indigenous vegetation remains.

WET and TAK are ideal partners, sharing common objectives around biodiversity and identifying the importance of supporting landowners who want to make a difference. This includes local and central government agencies, as leading by example on public land is recognised as an important factor in encouraging private landowner action.

2. THE CANTERBURY PLANTOUT

Initiated and led by TAK, the Canterbury Plantout brings together a number of organisations, funders and individuals to plant out a series of sites over two days in September each year. WET has been involved since the start of the project in 2011, supporting TAK's funding applications and helping out with the planning and organisation of the Plantout days. Other partners include Selwyn District Council, Environment Canterbury, Ngāi Tahu and the Department of Conservation.

Figure 1: Saturday 8th September 2012 – Planting at Cemetery Pit

The event brings together a large number of volunteers (over 300 in 2012) to plant at a series of sites. The volunteers are extremely well looked after – transport is provided, they are well fed, and a band to accompany the dinner at the end of the day makes it an enjoyable social event. Another vital aspect is ensuring that the planting is well planned, with a number of restoration ecologists involved. Landowners of each site pledge to maintain the sites as they get established.

The captive audience of volunteers (on the buses and at mealtimes) allows important messages to be delivered using handouts, static displays and speakers on the buses travelling between sites. At the 2012 Plantout volunteers learned about the history of the lake and surrounding lands, the

importance of the drainage network, birdlife, invertebrates and the work of the Canterbury Water Management Strategy Zone Committee[i].

Figure 2: Saturday 8th September 2012

Volunteers are all ages and come from a wide range of backgrounds – in 2011 60% were urban and 40% rural, and included several family groups and a large number of students. Student participation increased in 2012 as the Plantout

registered with 'The Concert', an initiative of the Student Volunteer Army aimed at increasing volunteering by rewarding volunteers with a ticket to a concert.

3. HOW DOES THIS RELATE TO WET'S ACTION PLAN?

The WET *Action Plan* is structured around the community's Vision for the lake:

Te Waihora/Lake Ellesmere
- A place where healthy and productive water provides for the many users of the lake while supporting the diversity of plants and wildlife that make this place unique.
- A place of cultural and historical significance that connects us with our past and our future.
- A place where environmental, customary, commercial, and recreational values are balanced while respecting the health of the resource.
- A special wide open place for the enjoyment and wonderment of present and future generations.
- A place of contemplation and tranquillity as well as activity, a place just to be.

Translating a vision into meaningful actions can be quite a challenge. The *Action Plan* has taken each theme of the Vision and identified the issues and opportunities that WET sees as important. Outcomes relating to the key issues are articulated along with possible actions, or outputs, which could contribute to achieving the outcomes. Performance measures are indicated – generally relating to the output, as measuring outcomes is much harder. However, the relevance of the performance measure comes from establishing a link between the output and outcome sought.

Clearly, action is required by a whole raft of organisations and individuals, but the *Action Plan* also indicates what WET's role can be – structured around the headings of Educate, Facilitate, Activate.

Taking the first part of the Vision: *A place where healthy and productive water provides for the many users of the lake while supporting the diversity of plants and wildlife that make this place unique,* the first issue identified is declining

57

ecosystem health – a very broad issue indeed. The outcome WET is seeking is a healthy state of the lake and environs and a list of possible actions are stated. One of those actions, 1.13, is *Implement best management practices in the catchment (through ZIP and regional planning processes)* and another is 1.14 *Protect existing indigenous riparian biodiversity/ restore indigenous biodiversity.*

Primarily this will be achieved by landowners changing current practice and one measure will be the establishment and enforcement of rules encouraging best practice; another will be to survey and monitor the extent of biodiversity and restoration projects in the catchment.

Figure 3: Coes Ford 2011

For WET, this means advising landowners about where to get information and support, working with partner organisations to ensure messages are consistent, promoting key messages and practical advice, and celebrating success. There are a number of ways WET can do this – and participation in events such as the Canterbury Plantout is one.

4. CONCLUSION

For WET, having an *Action Plan* means there a clear link between activities and outcomes. Events such as the Canterbury Plantout can contribute to the outcomes sought by WET and others by adding to the number of restoration projects and educating and supporting landowners. However, the real value may be less in the number of plants and the area planted on the day and more in the increase in community buy-in and understanding. This greater appreciation of the issues and the scale of biodiversity loss will hopefully lead to wider acceptance of the need to change current land

use practices and to invest both private and public funding in larger scale restoration projects.

For groups like WET and TAK collaboration is vital to the success of events. Councils, DoC, Ngāi Tahu and other non-government organisations (NGOs) are the usual partners, but increasingly NGOs are looking for ways to form alliances with business and industry.

TAK has established the Canterbury Plantout with a lot of in-kind help from partners and support from some key funders. However, ongoing funding is always very hard to secure. Larger scale events such as this can provide a platform for potential sponsors to reach a large number of people from a diverse background, and the publicity material has even greater reach. TAK, and also WET, are now looking for potential steps to obtain permission for using any material that might be protected by copyright. Please note that on delivery of your manuscript you will be asked to transfer your copyright to the publisher.

Anyone who would like to get involved in these sorts of events and help to make a real difference – as a volunteer or, even better, as a sponsor should contact:

WET
Adrienne Lomax (General Manager)
Ph 021 052 9720
manager@wet.org.nz
TAK
Brooke Turner (Coordinator)
Ph: 0211 293 3003
office@kakariki.org.nz

WET's *Action Plan* and *Community Strategy* are available at www.wet.org.nz and information about TAK is at http://www.kakariki.org.nz/.

---

[i] The Canterbury Water Management Strategy has seen the establishment of 10 Zone Committees made up of community and *rūnanga* representatives, plus local and regional council appointees. The Selwyn-Waihora Zone Committee has identified priority outcomes for the catchment, and their Zone Implementation Programme includes recommendations on riparian restoration and protecting and restoring biodiversity.

Planning pains? Don't Panic!

Hamish G RENNIE [1]

[1] Lincoln University, Christchurch, New Zealand

"DO I HAVE TO ANGLICISE MY NAME TO GET A PLANNING JOB IN NEW ZEALAND?"

This is a question put to our professional staff on a number of occasions by students with non-European sounding surnames, usually non-New Zealand born Asian students. The technical response is that you don't have to anglicise your surname because there are strong anti-discrimination laws in New Zealand, but you do have to be eligible for employment and your visa status may be seen as an obstacle by potential employers.

But that students should be raising the question hints at an issue that perhaps should be of concern to the NZPI and New Zealand planning employers generally. A perusal of the list of full members of the NZPI in its most recent (2011) annual report found less than 20 with clearly Asian surnames. This appears to significantly under-represent the New Zealand population mix. There is clearly potential for a research project on the lack of visibility of non-European surnames, but before students start to complain of racism they need to reflect on what employers of planners are seeking.

Communication skills are extremely high on the list – especially professional written communication. A cover letter for an application that shows an adequate comprehension of the position being applied for and how the student's skills fit with the person specifications is important. These letters and the CVs must be free of typographical errors and should be free of obvious grammatical errors. A poorly laid out or error-ridden CV and cover letter will turn off employers no matter what the ethnicity or native language of the student. English is the key language for planners in New Zealand, but a University degree is no guarantee that your written language is up to the standards that professional organisations desire, nor does a degree guarantee you a job.

There are bound to be some racists in employing positions in New Zealand, just as there are in any country, but New Zealand has a substantial and growing Asian population and Asian connections and it would be surprising if councils and consultancies did not see people who could readily identify with Asian communities, who also have high English language proficiency, as very valuable staff. So, before looking for race as a reason for lack of success on the job market, and rushing to anglicise a surname, students should look at the quality of their written and oral English language skills and ways to improve and demonstrate their skills with language. Having articles published in the *Lincoln Planning Review,* the NZPI's *Planning Quarterly* or even *Caclin* is a good way to improve and demonstrate those skills, and would be infinitely more beneficial than anglicising a surname.

Where are they now?

Kelly FISHER

1. NICK WILLIAMS

Nick, a former Lincoln University student and LPR Editor, completed a Bachelor of Environmental Management and Planning degree in 2009, majoring in Water Science and Technology. Since finishing his degree Nick has undertaken research looking at the outstanding values and characteristics recognised in New Zealand Water Conservation Orders. A paper for this research is coming soon. Nick is currently employed by Oasis Clearwater Environmental as a Commercial and Projects Engineer. He says he feels privileged to be in a position where he has a direct influence in the treatment and disposal of wastewater into the environment. In the future Nick's goal is to play a role in the monitoring and management of New Zealand's waterways. He is looking forward to completing some post-graduate study sometime in the future.

2. SUZANNE BLYTH

Suzanne was one of the initial members of the LPR Editorial team, laying much of the groundwork for the publication we have today. Suzanne first undertook a Bachelor of Arts degree majoring in Sociology at the University of Canterbury before she completed her postgraduate studies with a Master of Environmental Policy at Lincoln. Since leaving university, she has been working as a Consents Planner at Environment Canterbury in the Residential Consents Team. Her team audits land use and discharges relating to residential activities – including subdivisions. So far, she has worked on auditing domestic wastewater consents (e.g. septic tanks), stormwater discharge consents, and land use consents such as one for a bridge in a residential subdivision. As a Consent Planner Suzanne enjoys working at the junction of the statutory planning framework and reality, i.e. the implementation of the plans. She particularly enjoys the contact with the applicants and their consultants, and the negotiating their way through the RMA process.

3. LAUREN SHAW

Lauren completed a Bachelor of Environmental Management and Planning degree at Lincoln University in 2011. Since leaving university she has moved to Melbourne where she is currently working full time for an international corporation, Veolia Environnement, in their environmental services sector. She is involved in the sales and business development area dealing mostly with the administration of waste management services across the state of Victoria. When Lauren looks back on her time at Lincoln and the degree she completed she says the most enjoyable part was the intimate learning environment and all the support and relationship building opportunities a small specialised campus provides. Lauren is enjoying seeing the theory that she studied applied in the real world and for this reason she anticipates staying with the company for a while into the future.

Staff Profile - Dr Michael MACKAY

Ange VAN DER LAAN

Dr Michael Mackay is a lecturer in Human Geography in the Department of Social, Science, Parks, Recreation, Tourism and Sport. He is currently the examiner of three social science papers: The Living City, Society and Environment, and Advanced Society and Environment. Michael holds a Bachelor Degree in International Studies with a major in Japanese Language, which he obtained from the International Pacific College in 1999. In 2004 he was awarded a Master of Applied Science (Rural Tourism Development) from Lincoln University and a PhD in Human Geography in 2011, also from Lincoln.

For the three years prior to working at Lincoln University, Michael was a member of AgResearch's Social Research Team. He worked in projects exploring the social impacts of rural land-use changes and (proposed) water regulations, and community engagement and participation in inclusive policy and planning processes (including designing, organising and facilitating community engagement activities). At AgResearch he also led various research projects for industry groups, such as DairyNZ. Examples include a DairyNZ project benchmarking the environmental attitudes of farmers operating in New Zealand's Best Practice Dairying Catchments. Another project focused on strengthening procedural legitimacy in the choice of stakeholder groups for deliberative public engagement.

Michael's primary research interests are in the processes and outcomes (and geographies) of rural and urban change. He is currently involved in a cluster of interrelated research projects seeking to interpret the social changes occurring in rural localities and small towns in New Zealand, particularly in areas of high amenity or where land-use changes have occurred. This work is contributing a social science perspective to conceptual debates on post-productivism, multifunctional rural space, amenity migration and the "global countryside". Michael is also working with Taylor Baines and Associates, contributing a social scientific perspective to the Canterbury Land Use and Water Quality Project – a collaborative project between Environment Canterbury, DairyNZ and other sector groups, who are undertaking a catchment-by-catchment nutrient limit-setting process, complementary to the Canterbury Water Management Strategy.

When he's not at work, Michael plays guitar, rides a mountain bike, snowboards and collects LP's.

Awards

Kelly FISHER

Staff and students from Lincoln University's Faculty of Environment, Society, and Design have recently been awarded a variety of prestigious awards and scholarships in relation to resource management and planning, a few of which are outlined below.

Firstly, in recognition of his outstanding contribution to resource management the Honorary Professor Peter Skelton has been awarded the Principal Judge John Bollard Lifetime Commemorative Award from the New Zealand Resource Management Law Association. Rather than being an annual award, this Lifetime Commemorative Award is only given to exceptional individuals on occasion. With an outstanding and varied career that includes working as a lawyer, judge, independent commissioner, and academic, Professor Skelton is a well deserving recipient. Currently an Environment Canterbury Commissioner, Professor Skelton continues to be an emeritus professor at Lincoln University.

Secondly, on October 17th 2012 the Chartered Institute of Logistics and Transport (CILT) Annual Awards Presentation and Dinner for 2012 was held at the Hotel Intercontinental in Wellington with Lincoln University students once again securing top awards. This year there were two winners of the prestigious award, the Ministry of Transport Award for outstanding achievement at Masters level in a research project, dissertation or thesis 2012. This prestigious award went to two Lincoln University transport students, Mark Worsley and David Kriel. Both students graduated in 2012 with a Masters of Professional Studies after they completed A+ dissertations under the supervision of Jean-Paul Thull.

The CILT Award for the Most Meritorious Presentation 2012 also went to two Lincoln University students, Lara Peter and Marcel Podstolski. Lara and Marcel were awarded for their report on a feasibility study of commuter rail for Christchurch in their TRAN 601 course in 2012. The awards are a great achievement and do well to showcase the excellent work coming from Lincoln University students.

Finally, each year Lincoln University contested summer scholarships provide select students the opportunity to carry out research projects during the summer holidays. This year a number of scholarships have been awarded to environmental management and planning students. With funding from the Waterways Centre for Freshwater Management, Naturefarms, and Waihora Ellesmere Trust, this summer will see students researching a variety of topics. This year's scholarship projects and recipients are as follows:

Compiling a meta-database of information on the surface and groundwater resources of Christchurch City and Selwyn District
Funded by: Waterways Centre for Freshwater Management
Awarded to: Michelle Ruske
Supervised By: Bryan Jenkins and Jenny Webster-Brown

The effectiveness of loading dairy effluent ponds with Effective Micros (EM)
Funded by: NatureFarms
Awarded to: Lauren Kensington
Supervised By: Kelvin Nicolle, Mike Daly (NatureFarms)

Describing and, where possible, quantifying the costs and benefits of riparian planting with particular reference to the drainage network of the lower Selwyn-Waihora catchment
Funded by: Waihora Ellesmere Trust
Awarded to: Jess Rae
Supervised by: Geoff Kerr and Adrienne Lomax (WET)

Quantifying, using agreed indicators, the recreational use of Te Waihora/Lake Ellesmere, both historical and contemporary
Funded by: Waihora Ellesmere Trust
Awarded to: Chi Chong (Lantz) Wu
Supervised by: Ken Hughey and Adrienne Lomax (WET)

Water take survey in the catchment of Wairewa/Lake Forsyth
Funded by: Waihora Ellesmere Trust
Awarded to: Jay Whitehead
Supervised by: Jenny Webster-Brown / Dr Tim Davie (ECan)