

# **“Community and Land Use Planning: Scottish and New Zealand perspectives”**

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### **Abstract**

Case studies from Scotland and New Zealand are used to explore the interfaces between community governance, planning and environmental assessment. Current indications suggest that strategic forms of environmental assessment may help meet the broader goals of community planning in both jurisdictions, supporting the aims of sustainable local development.

## **1. Introduction**

The emergence of community planning in Scotland and New Zealand is part of a global shift towards community-based forms of environmental governance, implemented alongside existing statutory planning systems. Community planning has been described as “the process through which public sector organisations work together and with local communities, the business and voluntary sectors to identify and solve local problems, improve services and share resources” (ACAGS, 2006). This paper uses case studies from each jurisdiction to explore the interfaces between community governance, planning and environmental assessment. Such comparative analysis helps evaluate the potential of emerging community planning processes as strategic tools for addressing sustainable development issues and outcomes in ways that complement statutory planning systems. The paper considers the contribution strategic environmental assessment (SEA) may make toward achieving these goals.

## **2. Community and land use planning in Scotland and New Zealand**

The many apparent similarities between the new forms of community governance embodied in the Local Government in Scotland Act 2003 (SP, 2003) and the New Zealand Local Government Act (LGA) 2002 (Wilson & Salter, 2003) include a requirement to advance the well-being of communities; an emphasis on the creation of partnerships to deliver agreed community outcomes; a commitment to community involvement, allowing groups to express their aspirations and views; and a new type of document, the community plan. In both countries, the new community planning processes have been linked to the delivery of sustainable development. The point is made explicitly in the Scottish Government’s current sustainable development strategy, which states that “Community Planning is the key overarching approach that supports partnership working for sustainable development at the local level” (SE, 2005: para.15.6).

Whilst the aims of community planning coincide, in recent years the land use planning frameworks of these jurisdictions have diverged. Scottish statutory planning continues to determine the granting of development permission with reference to land uses designated in statutory plans. The 1991 Resource Management Act (RMA) replaced a similar system in New Zealand with criteria derived from environmental effects. In principle this permits any activity to be undertaken in any location if it can be demonstrated to comply with the appropriate environmental standards. The RMA has converted New Zealand land use planning processes into an ‘assessment of environmental effects’, allowing environmental impact assessment to become the key determinant.

One of the consequences of introducing the RMA has been to reduce the significance of socio-economic considerations in determining whether a development should be granted resource consents, in favour of an 'environmental bottom-line' approach to sustainable development (Jackson & Dixon, 2007). The New Zealand Parliamentary Commissioner for the Environment suggests this has "slowed the adoption of sustainability principles into economic and social policies" (OPCE, 2002: 4).

### 3. Case studies in community governance

*Scottish practice - the case of Middlefield, Aberdeen:* North Sea oil developments have given Aberdeen a prolonged period of economic prosperity. Managing this growth has been a key challenge. The statutory land use planning framework for the city is provided by the structure plan, *North East Scotland Together* (NEST), which was approved by Scottish Ministers in 2001, together with the Aberdeen City Local Plan, adopted in 1991. Despite its prosperity, Aberdeen contains a number of neighbourhoods facing problems of social exclusion. It is the Community Plan, termed '*aberdeen futures*', together with the associated Community Regeneration Strategy, rather than the local development plan, which provides the main framework for the allocation of resources to these communities.

The Aberdeen City Alliance produced the city's first community plan in 2001 (ACPP, 2001). The Alliance is a network of fifteen partners including the City Council, the Aberdeen and Grampian Chamber of Commerce, Aberdeen University, Scottish Enterprise Grampian, and Aberdeen Civic Forum. The plan offers a vision of local governance built around valuing 'our people, our city and our identity'. This is underpinned by two principles: social inclusion, to reduce barriers of discrimination and inequality; and sustainability, to protect the environment and make wise use of resources, while maintaining stable economic growth. The same partnership is also responsible for preparing the *Aberdeen Community Regeneration Strategy: Closing Our Gaps* (ACA, 2004).

Middlefield is one of the six priority neighbourhoods identified within the Aberdeen Community Regeneration Strategy. With a population of just over two thousand people, it lies on the north side of Aberdeen. It is characterised by a high proportion of public rented housing and is designated as one of thirty-seven neighbourhood community planning areas. Middlefield was one of the first neighbourhoods in Aberdeen to use the *Planning for Real* approach (ACC, 2005) to find out local views and allow local people to raise concerns about the future of the area.

*New Zealand practice - the case of Glen Innes, Auckland:* Urban growth management has been a major priority for local government politicians and managers in the Auckland region over the past decade (Murphy, 2003). A regional growth strategy has been developed in response to the pressing need to manage problems of urban sprawl, traffic congestion, and inadequate infrastructure (ARGF, 1999). A critical element of this planning strategy is residential intensification, with its key focus on the existing metropolitan area where 70% of the proposed new dwellings will be built, much of which will be medium density housing (ARGF, 1999).

Intensive housing is relatively new in a country where the norm has been the single, detached, house on an individual lot (Dixon & Dupuis, 2003). One of the areas in Auckland City targeted for intensification is the suburb of Glen Innes. Although the Regional Growth

Strategy was completed by the late 1990s, it is only recently that areas intended for intensification are now being formally subject to notification of proposed changes to district plans. What makes this community distinctive from other Auckland City suburbs is the scale of state housing provision. Housing Corporation New Zealand, the government agency charged with providing state housing, is the major landowner in the suburb.

The process of preparing a liveable community plan to provide for the future growth of Glen Innes commenced in 2000. Following a series of public consultations which included a charrette, the final plan, called *Glen Innes into the Future*, was adopted in July 2004 (AuCC, 2004). The plan proposes actions to guide and manage the effects of growth in relation to topics such as the town centre, business areas, housing, community and environment.

At the same time as the liveable community plan was being developed for Glen Innes, Auckland City Council planners were developing new district planning provisions to enable intensification to take place in selected areas of the city. The district plan and liveable community plan have different purposes. The district plan's objectives and policies are focused heavily on the physical design and infrastructure aspects of new housing, whilst the liveable community plan addresses only some social and community aspects of development. Neither of these plans for Glen Innes addresses issues of social and economic deprivation. These matters remain outside the city council's mandate and do not form part of New Zealand's approach to local governance. Local communities in Auckland have yet to be included, engaged or empowered in the local delivery of such public services.

#### **4. Delivering sustainable outcomes?**

Although evidence suggests that community and development planning processes in Aberdeen are developing a closer and more 'symbiotic' relationship, have they also been able to deliver more sustainable outcomes based on open, transparent and environmentally just processes? The agencies involved, the structure plan partners and the City Alliance, are undoubtedly in broad agreement about the importance of pursuing a sustainable development agenda. They see the concept of sustainable development as central to both the development and community plans.

The current discourses on local environmental governance in Scotland have focused on democratising the policy process, both within local government and across the wider public sector (Shaw, 2004). Our Scottish case study offers some evidence that some progress is being made in this respect. Despite this apparently positive picture, the exact nature of the impact of the public's input on local governance remains unclear. Are communities helping to shape the policy framework? Are they setting out aspirations or influencing service delivery? The neighbourhood community planning process in Aberdeen offers some encouraging evidence to suggest that when genuine discussion and negotiation is allowed to take place over local public service provision, local people can influence and change decisions.

The Environmental Assessment (Scotland) Act 2005 requires all policies, plans and programmes (PPPs), including new versions of both the community and development plans for these communities, to be proofed for their environmental implications, and tested against the criteria of environmental justice. The concept of just environmental outcomes is founded on two premises about the application of equity to environmental governance: substantive and procedural fairness. Substantive equity addresses "the distribution of the factors affecting environmental quality (both good and bad)"; procedural equity is concerned with the

adequacy of “the information and opportunities necessary for people to participate in decisions about their environment” (SEEG, 2005: 2). Together these precepts provide local environmental governance with an agenda for determining the equity of the impacts of development on individual communities, when assessed in spatial, social and temporal terms. They form the basis for establishing a distributionally-just configuration of the meaning of sustainability.

A section 32 report for Glen Innes, required under the RMA to evaluate the costs and benefits of proposed planning objectives and policies for changes of this nature, provides New Zealand’s nearest equivalent to the statutory application of SEA to all Scottish PPPs deemed likely to have significant environmental effects. The report makes reference to research and community feedback, and stressed the importance of urban design as a key means of mitigating any potential adverse impact of intensification (AuCC, 2003: 2). These reports do not, however, typically address social or community impacts, given the focus of the RMA on managing environmental effects.

The three-yearly Long Term Council Community Plan (LTCCP) for Auckland City had not been prepared at the time intensification of Glen Innes was proposed. This provision was introduced by the LGA 2002, and the first round of LTCCPs was required to be notified by mid-2006. The liveable community plan for Glen Innes prepared by the Auckland City Council formed part of a sequence of council documents prepared as part of implementation of the growth management strategy across the city. It was not a mandatory requirement and thus did not have the same statutory weight as the district plan. The plan reflects a partial approach to community planning and did not address many aspects of what could be expected in such a document, including how implementation of measures to assist intensification might be managed and implemented. Nonetheless, it could have been expected to inform the later development of the LTCCP.

The LGA 2002 sets up the LTCCP as a focal point of engagement with communities in determining priorities and expenditure to be undertaken by councils. In this case, the Community Plan is critical in ensuring that concerns can be adequately addressed, by committing not just the council but other agencies to deliver on what has been set out in the liveable community plan. Unless this occurs, intensification is likely to meet regional and city growth management policies, but the environmental and social costs incurred at the local level may outweigh any anticipated benefits for current or future residents. So far in New Zealand, LTCCPs have tended to represent council activities as ‘business-as-usual’ (Reid, 2005), with high-level community outcomes (AuCC, 2006) that are city-wide and not neighbourhood specific. Fully-fledged community planning is yet to emerge through the processes as provided by the LGA 2002.

Encouragingly, the recent construction of environmentally-friendly intensive housing developments at Talbot Park, Glen Innes, offers exemplars of what can be accomplished at the lower-cost end of the housing market (HCNZ website, 23 March 2008). The scheme demonstrates what can be achieved with co-ordination across government agencies and intensive tenancy management. However, despite planning policies in place to promote intensification, recent cost-cutting measures by an incoming conservative council (NZH, 4 March 2008) threaten to prejudice the financial contribution of Auckland City Council to the long-term development of this community and undermine stakeholder co-ordination.

## 5. Conclusions: using SEA to assist community governance

Scottish policy-makers have reinforced community governance by using SEA to promote greater local accountability and equity in the delivery of public sector plans. The 2005 Act provides local communities with transparent access to a proofing process testing the sustainability of all forms of policy-making that impinge on the community, including the community plan itself. By contrast, in New Zealand SEA is confined to an ancillary expert-led role in proofing RMA plans for their sustainability, and there is no provision for its use in LTCCPs. It will be interesting to monitor the evolution of spatial and community planning within these two jurisdictions over the next decade, to see whether the application of SEA to community governance in Scotland helps overcome some of the institutional constraints which currently limit their effective co-ordination. SEA may also serve as a valuable lubricant to improve the co-ordination of RMA plans and Community Plans in New Zealand.

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