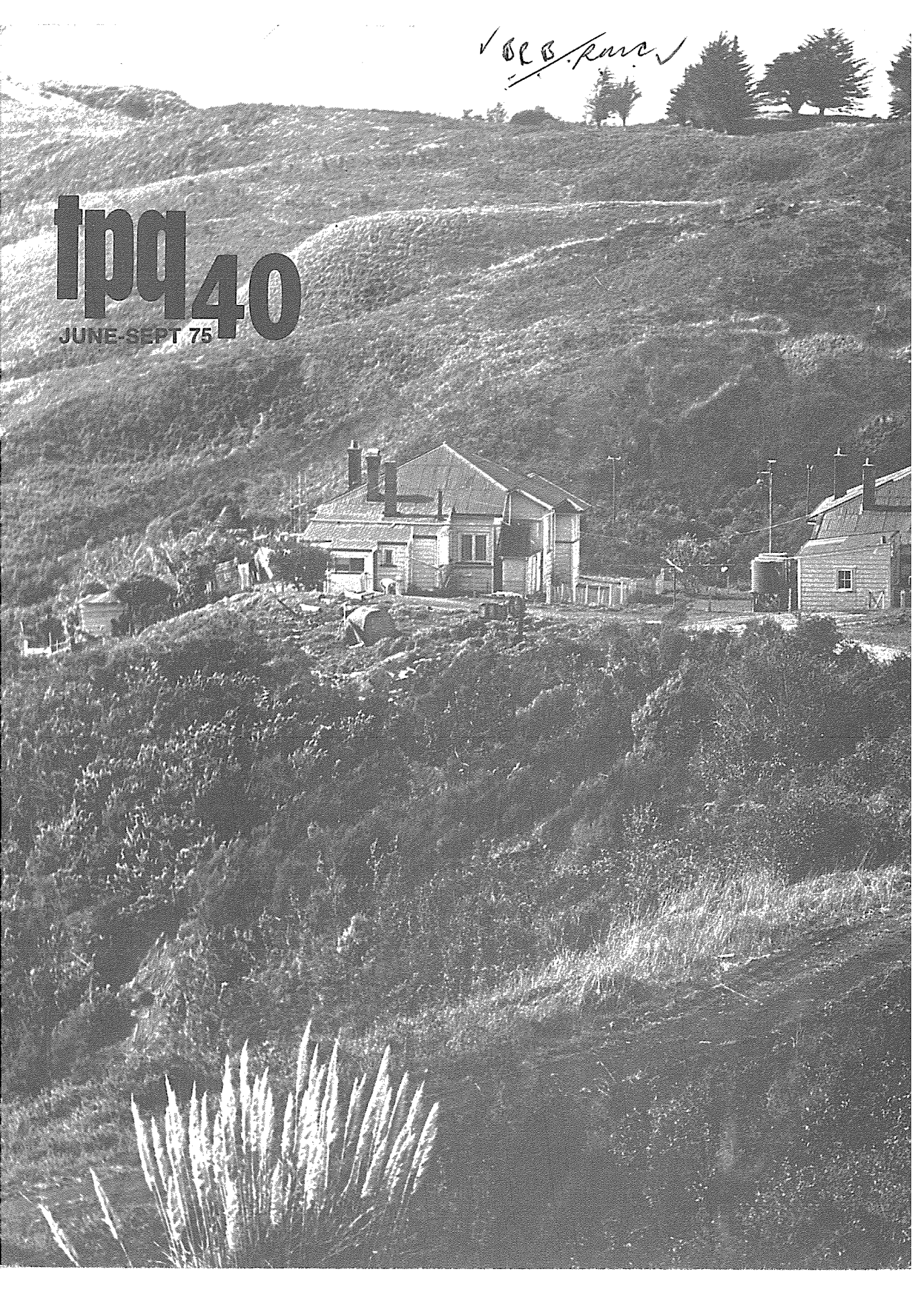
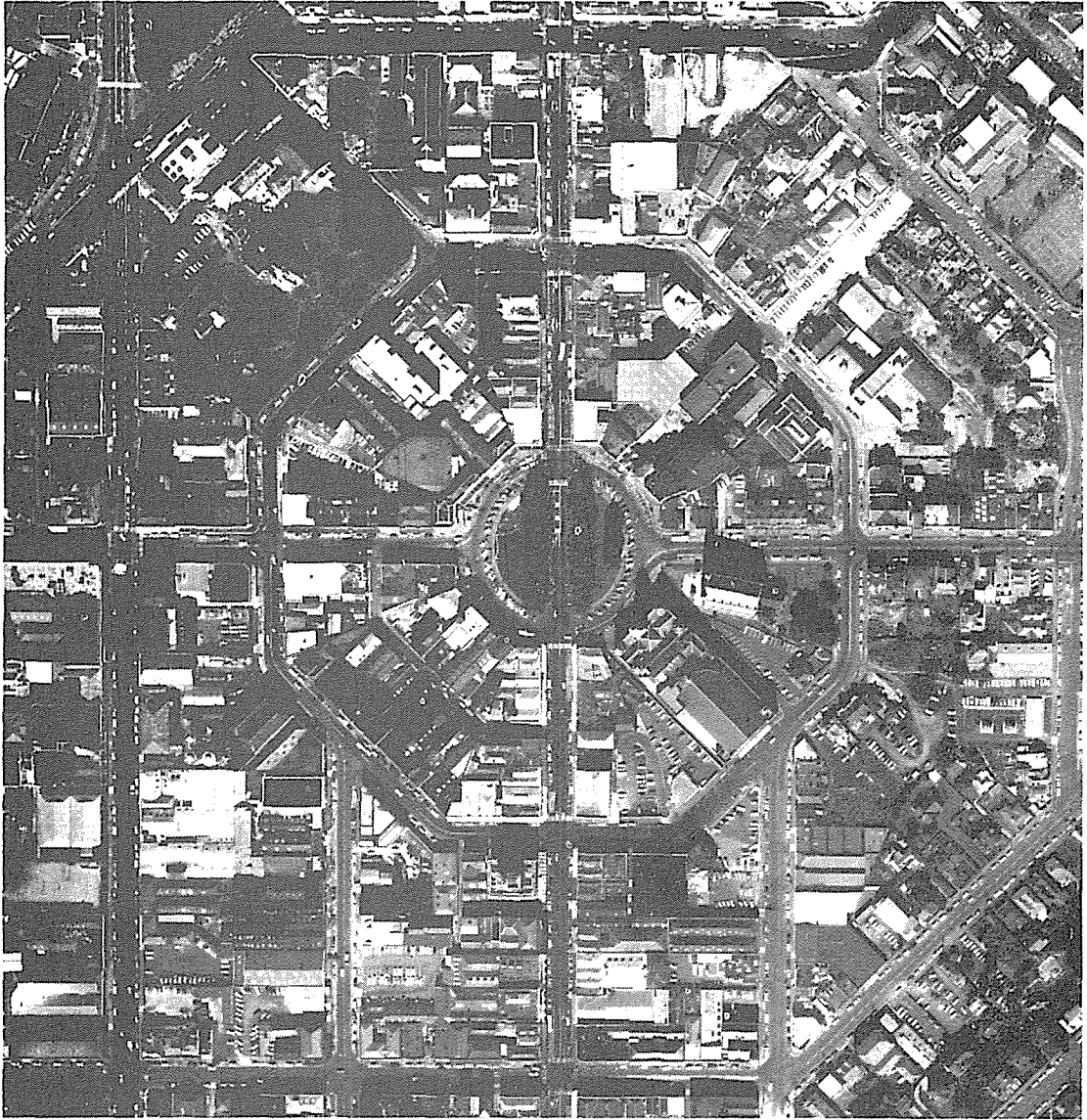


V O R B / p a r c h

tpq 40

JUNE-SEPT 75





Photograph by courtesy Dunedin City Council.

- Aerial photogrammetric mapping
- Large scale photo enlargements
- Mosaics
- Ground control surveys

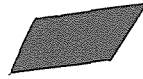
AERO SURVEYS (New Zealand) LTD.

P.O. Box 444 Tauranga

Telephone 88-166

TOWN PLANNING QUARTERLY

Editor: J.R. Dart
Technical Editor: M.H. Pritchard
Department of Town Planning.
University of Auckland.



Cover photo by Marti Friedlander

NUMBER 40

JUNE-SEPT 75

CONTENTS	
EDITORIAL	4
PLANNING AS A PROCESS	
PLANNING REVIEW TEAM	6
YOU AND YOUR CITY	
W J WATT	8
PLANNING IN THE UNITED KINGDOM AT THE GRASS ROOTS LEVEL AFTER REORGANISATION	
B A GUNNING	16
RESPONSIBILITY OF MINISTRY OF AGRICULTURE AND FISHERIES IN TOWN PLANNING	
A J GILLISEN	20
PUBLIC PARTICIPATION IN PLANNING	
LUCIFER	22
THE THREE BROTHERS	
GERHARD ROSENBERG	26
PLANNING POWERS & THE CONSERVATION OF FARM LAND IN NEW ZEALAND	
CASEBOOK	29
ECONOMIC FARM UNITS	
J C STEWART	32
CONFERENCE NOTES	
INSTITUTE AFFAIRS	38

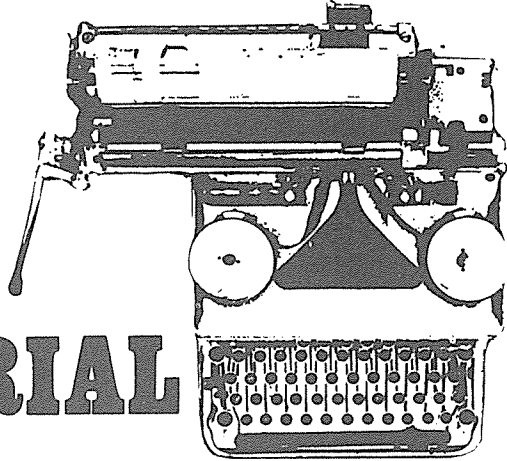
Town Planning Quarterly is the official journal of the New Zealand Planning Institute Incorporated, P.O. Box 5131, Wellington.

The Institute does not accept responsibility for statements made or opinions expressed in this Journal unless this responsibility is expressly acknowledged.
Published March, June, September, December.
Annual Subscription: \$5.00 (New Zealand and Australia) post free, elsewhere \$NZ 6.00

Address all correspondence to the Editor: Town Planning Quarterly, P.O. Box 8789, Symonds Street, Auckland 1. Telephone/Telegrams: 74-740

Printed by Acme Printing Works Ltd,
137 Great North Road, Auckland.

EDITORIAL



That water, like air, has eluded private ownership for so long, may be attributable as much to problems of boundary definition as to the assumption that, because it is owned by no one, it is therefore owned by everyone.

Nevertheless, water surfaces are continuously being alienated, not only by acts of reclamation, but also by more subtle methods ranging from marina developments to oyster farms.

It would be overly melodramatic to see a parallel with the enclosure of the commons which steadily occurred over a period of five hundred years in England before finally being discontinued in the nineteenth century, but there is no cause for complacency either. Reclamations in Wellington, for example, have already accounted for a 50% reduction in the navigable harbour area and self-appointed guardians of Auckland's Waitemata Harbour have had to fight vigorously to defeat numerous reclamation projects attempted over the past decade.

Auckland's waterways were likened to a blue belt, it being implied that they more than compensated for the absence of a girdle of green that other cities' forefathers had had the foresight to leave, however attenuated a form. The description was not only apt, it encouraged people to see the harbour as something more than a highway and parking lot for ships, a dumping ground for the city's wastes and a cheap urban land bank.

For Auckland, it marked a turning point. As the temptation to reclaim increased, so the opposition to such schemes became better organised and steadily more clear as to its own aspirations for the harbour. It is very much to the credit of those august bodies, the Auckland Harbour Board and the Auckland Regional Authority, that they saw merit in those expressions of citizen



PLANNING AS A PROCESS

concern to the extent that they sponsored a major study with a view to establishing criteria against which to assess competing demands for the harbour and as a basis for determining a suitable management system for future administration. The result is the recent publication of a draft plan for public comment, embodying five years of investigatory work and a series of policy statements, proposals and recommendations.

The report is worthy of examination, not only by those having a direct interest in the Waitemata Harbour, but also by all those who have comparable planning responsibilities. For the report is a turning point in another sense. Together with the Auckland Regional Authority's growth alternative study, it marks the first serious attempt in New Zealand to identify community goals as a basis for decision-making. That it is a prototype rather than a model to be exactly copied, adds to its value for it should stimulate local variations in other parts of the country where the need is no less great and just as obvious.

This is election year. Much lip service is being paid by all of the contesting parties to the need to conserve our natural resources. If past experience is any guide, we know that political principles will give way to political expediencies in future battles over the exploitation of those resources. But such statutes as the Water and Soil Conservation Act and the Clean Air Act and such new procedures as the environmental impact statements are forcing the government of the day to be more and more explicit in its reasons for initiating works and development.

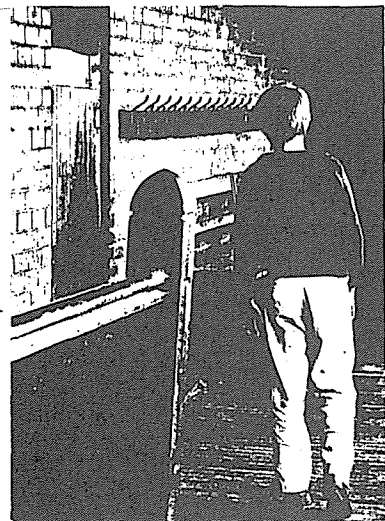
The Waitemata Harbour Plan will prove to be not only a comparable aid to sound decision making, but also a well presented illustration of planning as a process.

Astrologists may note that it is no coincidence that we are in the Age of Aquarius. Aucklanders will be reassured that anarchy on the harbour is finally coming to an end. New Zealanders would do well to act quickly upon the recognition that other and no less beautiful harbours are in need of equal attention and protection.

J.R.Dart

YOU AND YOUR CITY

PLANNING REVIEW TEAM,
AUCKLAND CITY COUNCIL



The Auckland City Council District Scheme is due for review in 1976. In mid 1974 the staff embarked on the task of preparing the Objectives document which is due for completion by the end of 1975. It was decided in the initial stages to involve the public throughout the process rather than postponing widespread involvement until a definitive plan had been proposed and objections called for.

A number of procedures for inviting discussion (such as delivering pamphlets on differing facets of planning to all householders at weekly intervals) were considered. The booklet 'You and Your City' was opted for as being the best method for a variety of reasons. One of these was the level of understanding by the public at large with regard to planning matters is not high. Another was the limits imposed on the planning team by the necessity to work to a timetable in order to fulfill statutory requirements.

The booklet outlined the present scheme, major trends in development since the review under the headings of growth, housing, commerce, preservation, industry, recreation, traffic and transport and the steps in the review procedure. A series of discussion points relating to each specific topic were posed as a guide to the respondents in their submissions. The cost involved in the booklet prohibited it from being made available to all ratepayers and residents. Therefore, it was decided to notify all householders and boxholders of the availability of the booklet by sending out a postcard. By adopting this method it was hoped that all interested parties would be given an opportunity to participate.

Forty-five thousand postcards were issued and from this group (including individuals, community committees and organisations such as the Chamber of Commerce only four thousand requests were received for the booklet. Just under 200 submissions were received from private individuals and group submissions, for example, Community Committees, were also received.

The Community Committees as a whole responded enthusiastically to the opportunity offered by the Council. Although each member of the re-

view team assumed the responsibility for assisting three of the Committees, attending their meetings and supplying information if requested, it was up to each committee to select the most useful means of participation for the area.

The majority favoured public meetings and forums, most of which were well attended. The calibre of the submissions from most of the committees was generally high. Care was taken to draw the attention of the Council to local issues and peculiarities that needed special attention. One example of this was the aged population structure of Point Chevalier which the Community Committee saw as creating a population imbalance.

However, the quality of submissions from individuals was uneven to say the least. One suggestion to solve the Councils' fiscal problems is undoubtedly of interest to all 'Turn the Town Hall into a poker machine and you will get money to burn. We could buy QE2 Park from Christchurch and sell Wellington to the Japs for scrap metal so that they could sell it back to us in the form of Modern Art.'

It is difficult to assess the usefulness of the exercise at this stage. On the one side it is hoped that advances have been made in raising the level of understanding of the public with regard to planning. The Community Committees have been useful in indicating the issues in their own areas. However, the value that can be placed on individual submissions is limited because of the unevenness in the quality of the responses and also the paucity of response. This of course could be due to inadequacies within the booklet but it should be directed at a community of neighbourhood level rather than requesting individuals to assist in the formulation of over-all city goals. Because individuals are more intimately associated with the area in which they live or work then they are able to more clearly see the implications of decisions as applied to their own area, rather than the city as a whole.

From the point of view of the planners involved in the public participation programme, working with the community committees and attending public meetings provided an opportunity of having contact with people in various parts of the city and hearing the kind of planning problems that concerned them. This personal contact was often of considerable value and gave an insight into planning problems that would not have been gained by sitting at desks!

Design

An overwhelming majority of respondents wished to see greater variation in the form of residential developments in the City. Considerable criticism was levelled against the 'sausage type' flats that have mushroomed over the city in recent years. It appeared that people were not so much antagonistic towards increases in densities as they were to monolithic blocks in their streets that have no empathy with the environment. High rise accommodation was also criticised and suggestions were made that low rise cluster developments

could increase densities without creating a 'super blot' on the townscape. Others wished to see a mixture of low rental and high cost accommodation in the one area. Alternatively one respondent thought that market forces should determine the location and forms of development. A noticeable feature in this section was the number of Aucklanders who, with their minds broadened by overseas experience wished to see large lumps of the exotic transferred to Pavlova land. Examples of this were requests for developments similar to the Piazza Novona in Rome, mews and semi circular type structures such as those that exist in Britain. Conversely there was a small group that cried "Viva the ¼ acre section."

Polynesian Housing

The majority of the respondents favoured the introduction of a special form of housing to suit Polynesian needs. The reasons given for this were interesting. One person considered that state houses are not suitable for Polynesians and another felt that special areas should be set aside for Maraes which could possibly arrive at a ghetto type situation, but one that is newer and better than the existing one. However the submission with a negative response to Polynesian Housing made even more interesting reading. Justifications that were given included; "A special form of housing for Maoris will lead to filthy streets and communism of the worst kind." "Maoris are traditionally a rural people and if they make an active decision to live in the city they have no special needs for this way of life." "There are dangers inherent in the suggestion of providing for Polynesian Housing, in that if this means relaxing simple but well established hygiene practices presently observed, the potential for outbreaks of infectious diseases is likely to increase. These people should be encouraged to accept European style housing."

Bulk and Location Controls

A considerable number of respondents were satisfied with existing controls. However, an almost equal number felt that the controls were too rigid and wished to see greater flexibility introduced. One person was of the opinion that existing controls completely disregarded local conditions, as in what may be suitable for Kohimarama could be inappropriate in Ponsonby. Another felt that controls stifled originality and actively discouraged novel building styles.

The overwhelming majority of respondents felt that off street parking requirements were inadequate. Beyond this it was suggested that the present regulations were fearsome and that the alternative which offers building bonuses for those who voluntarily include off street parking should be included in the new scheme. Another suggested that communal parking areas could be provided for approximately 20 cars by demolishing one house, thus relieving the need for on site parking.

All but two respondents felt that height restrictions needed to be more closely related to topography. Amongst the comments were "height should

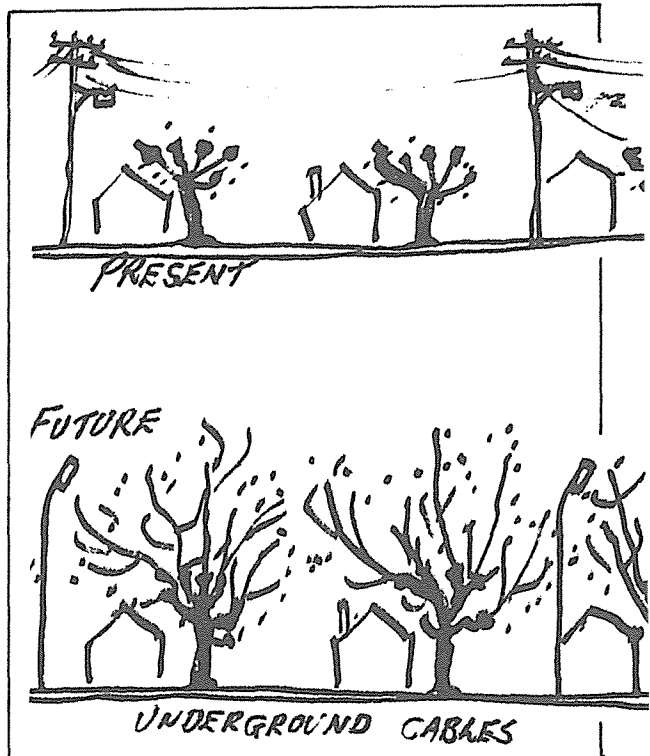
b confined to 1 storey", "height should be related to daylight control consideration" and "Grafton Road is perfect for high rise — amalgamation of titles in this street should be encouraged for this purpose."

Densities

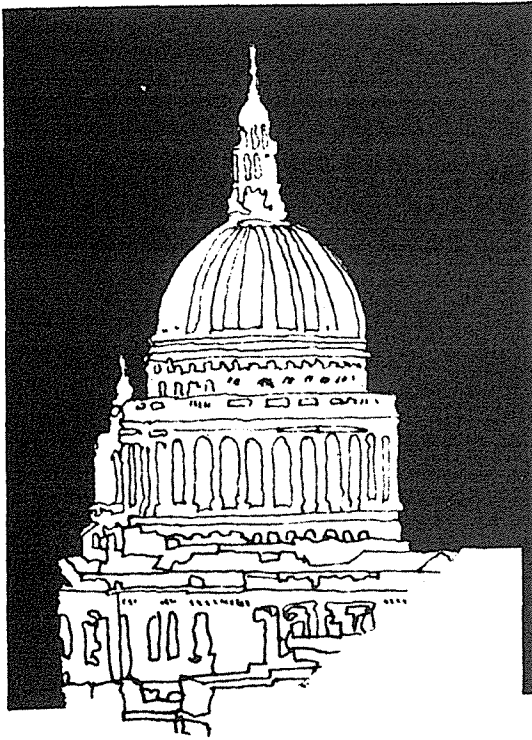
Many people (quite sensibly) linked densities with multi-unit housing. About half the respondents wished to see the densities increased — outside their area! Many who did not favour an increase and justified their stand on the grounds that they did not want to see more flats in their area.

Street Beautification

All respondents favoured efforts that would improve the appearance of the streets. The comments made on the subject included; "The undergrounding of power lines would put an end to the bobbing of trees." "Planting should be done on the main streets only." "I don't think that trees should be planted as the leaves fall into the gutter and this makes the streets look untidy."



Where did all this get us? Hours of relentless toil went into deciphering abominable handwriting (did all respondents have Parkinson's disease?), extracting meaning from obscure statements (were they all architects?), ploughing through fields of platitudes (was every answer secretly compiled by planning students?), in a super human effort to create order out of confusion but at the end of all, the pearl of wisdom hidden within one statement eludes the combined intellect of the team — "people are not elephants."



W.J. Watt, B.A., Dip. T.P., (M) at the time of writing had recently moved from Planning Officer Dunedin City to East Cambridgeshire District, Newmarket, England.

**PLANNING IN THE UNITED KINGDOM
AT THE GRASS ROOTS, AFTER
REORGANISATION**

New Zealand planners who have visited the United Kingdom will have watched with considerable interest the dramatic changes that seemed to be taking place during and after the reorganisation of Local Government in England and Wales, in April 1974. A description of how planning works subsequent to reorganisation offers an interesting comparison with planning as we know it in New Zealand.

The Form of the New Establishments.

Although the process of reorganisation was common to all authorities in England and Wales, its physical form varied from area to area with geographical characteristics, the boundaries of the former local authorities, and (sometimes) the whim of local politics. I shall therefore illustrate the process as it took place in the Cambridgeshire area, as one example.

The new Cambridgeshire is one of the more rural English counties, and has a population of only 300,000. There is only one city of over 100,000 (Cambridge), four cities in the 10,000-50,000 range, ten towns of 5,000-10,000, and a large number of smaller agricultural and dormitory villages.

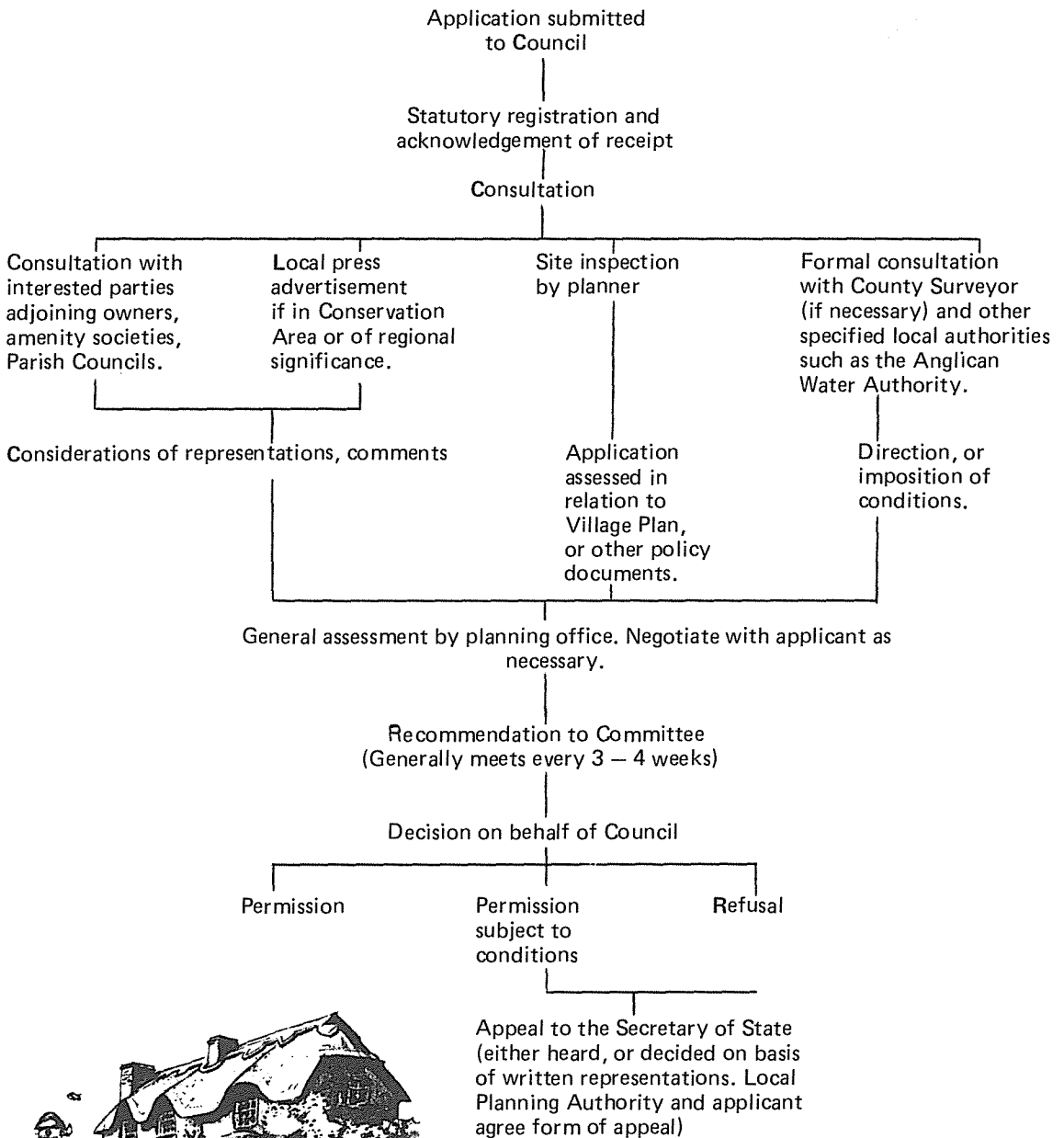
Prior to reorganisation, the county councils of Huntingdonshire, and Cambridgeshire and Isle of Ely, were the local planning authorities. They had responsibility for all local and regional planning. Nevertheless, it was possible for the former urban and rural district councils to exercise a planning function. A few of them formed sub-committees

primarily to decide on applications for planning permission, with professional advice provided by planners from the counties. Urban district councils in the larger cities sometimes had their own staff, for development control and local plan work. However, the county councils had jurisdiction over these smaller planning bodies, and did all planning where such bodies were not formed.

Figure 1 shows the area covered by the former local planning authorities, the two counties of Huntingdonshire and Cambridgeshire and Isle of Ely. With reorganisation, these two counties were merged into one — Cambridgeshire — which was then subdivided into six new districts, as shown by Figure 2.

These new districts became the local planning authorities, and assumed responsibility for virtually all development control and local plan preparation. County council planning departments are now devoted primarily to preparation of structure plans, although they are still involved in development control in local planning where the issues are of more than just local (district) significance. Other departments within the county are also involved in planning — for example, the County Surveyor as Local Highway Authority may impose conditions on approval, or even direct refusal, of an application. A further planning function of the county council is to agree with the districts on a "development plan scheme" indicating the kind and number of local plans needed to complement the structure plan

Figure 3 – PROGRESS OF A PLANNING APPLICATION



(Adapted from Ardhill)

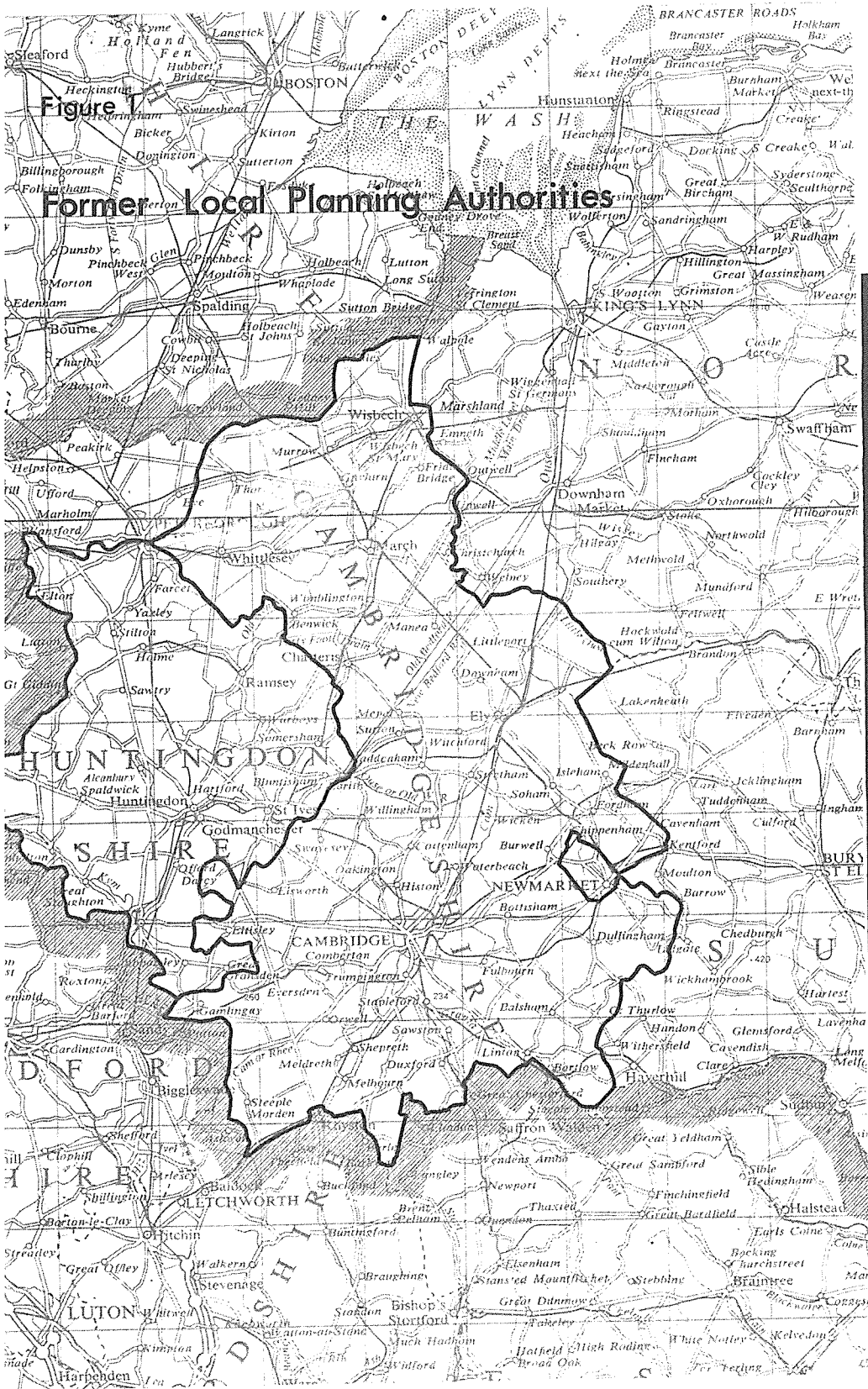
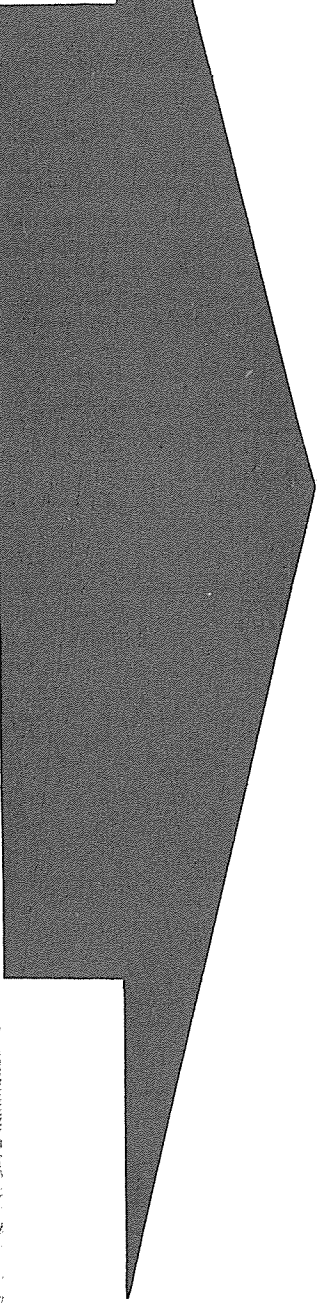


Figure 1

Former Local Planning Authorities



District No.	Population (1971)	Area (Acres)
1	105,989	82,421
2	64,545	136,387
3	96,348	228,438
4	49,086	161,839
5	90,267	223,266
6	98,519	10,060

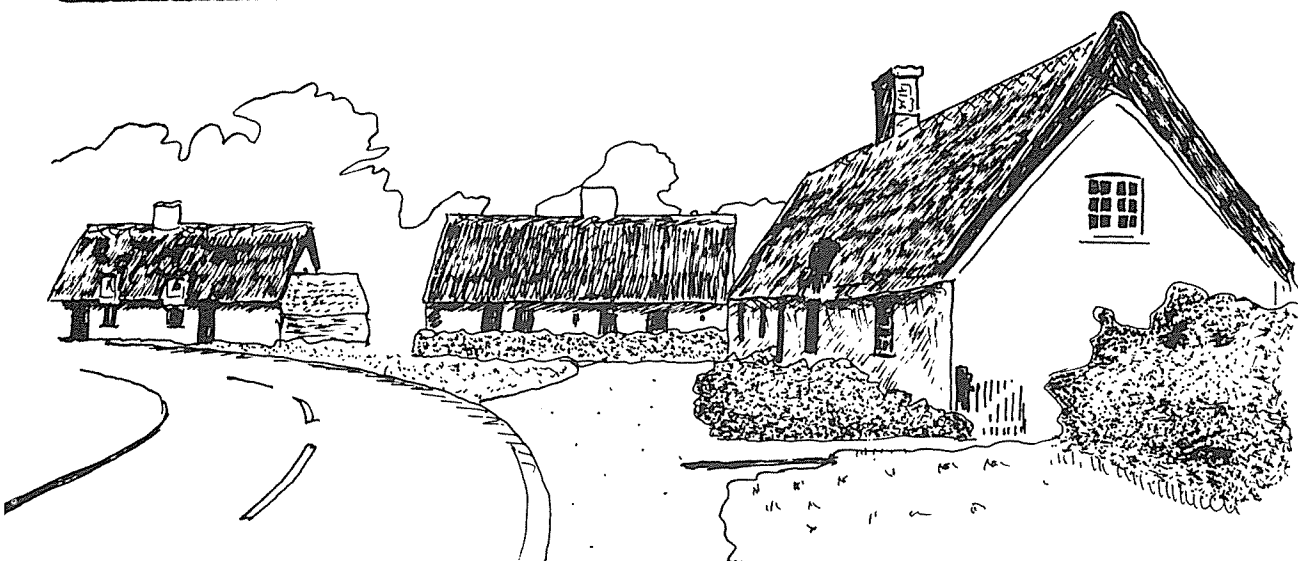


and delegating responsibility for their preparation.

There is a third level of local government involved in the planning process. In England and Wales (as anyone who listens to **The Archers** will know), the parish is the smallest unit of local government, and is concerned mainly with the domestic matters pertaining to individual settlements. Parish councils are supplied with details of every application for planning permission in their area, and are given two weeks in which to comment. Similarly, individuals likely to be affected by a proposal are also notified, and are given the statutory two weeks in which to object.

yet which are unstated in any policy document, are regarded as equally valid.

The site of each application is visited by a qualified planner, who subsequently may negotiate with the applicant. His principal concern is the possible "generated effects" of the proposed development on its neighbours, but under this general heading, he will consider such matters as, for example, the colour of the bricks and roofing materials, whether any trees on the site should be retained, and other detailed design considerations. This level of detail is quite foreign to the New Zealand ethic, which is more concerned with performance standards for



LODE HIGH STREET.

The Process of Development Control

Some district councils have delegated to their principal officers the authority to give approval for minor matters, in order to save time. Nevertheless, the procedure involved in reaching a decision on each application is, to New Zealand eyes, complex. Where authority has not been delegated, as in East Cambridgeshire, it is impossible to process even the most innocent application in under four weeks. Only buildings or works of a very minor nature do not require planning permission.

Figure 3 traces the process followed by each planning application in East Cambridgeshire. During this process, every application is assessed against the town map or village plan, or any other relevant policy document. If the application is contrary to any policy — expressed or implied — then that may constitute adequate grounds for refusal. Such policy documents, however, are **not** regarded as a comprehensive definition of the matters which may constitute planning issues. Other considerations, which may have evolved as "conventions"

general levels of amenity.

Unless a county matter, each application is considered by the development control sub-committee of the district council. Usually, it is resolved according to the recommendation put forward by the officer who carried out the site visit. This may be for unconditional approval (subject to the statutory time limit giving the applicant three years in which to carry out the development), but most frequently approval will be conditioned. These conditions can be selected from a list of standard conditions approved by the council — the nearest equivalent to the New Zealand code of ordinances — but further conditions tailor-made to fit the specific circumstances may be imposed where appropriate.

Appeal rights in Britain are similar to those in New Zealand. However, appeals are normally decided on the basis of written representations from both the appellant and the council, whereupon the verdict of the Secretary of State is final. Deciding appeals on the basis of written representations may

Figure 4 – SIZES OF PLANNING ESTABLISHMENT AND DIVISION OF RESOURCES

	Dunedin City			East Cambridgeshire District		
	Total	Admin	Forward	Total	Admin	Forward
Chief Planner	1	—	—	1	—	—
Senior Planner	1	—	1	2	1	1*
Planning Officers and Assistants	4	2	2	5	3	2†
Executive	½	(Committee Clerk)		1	—	—
Support staff:						
Research Assist.	1	—	1	—	—	—
Draughtsman	1	—	—	1	—	—
" Assist.	—	—	—	1	—	—
Clerk/Plotter	—	—	—	4	4	—
Secretary/typist	1	½	½	3	2½	½
	9½	2½	4½	18	9½	3½

* Architect

† Development Control staff also do forward planning.

Population served: 100,000

50,000

Professional staff
per 10,000 population: 0.65

1.8

lack some of the discipline of the tribunal chamber, but there is likely to be less discrimination against those applicants who cannot afford expensive professional planning or legal advice, or who fear becoming overstressed and inarticulate in a courtroom situation.

Local Plans

The terms of reference of the local plan may be interpreted very widely. The 1971 Town and Country Planning Act states that a local plan can either be specific, as in the case of a comprehensive redevelopment scheme, or it may interpret the issues in a much more generalised way, simply stating broad objectives for redevelopment.

Village and small town local plans generally consist of a policy statement, complemented by a map showing its physical implications. Compared with the New Zealand District scheme, the policy statement tends to be rather nebulously worded, with general recommendations intermingled with statements of policy intent. The map, therefore, is the principal vehicle of the report.

In Cambridgeshire, one of the most important techniques used in village and small town local plans is "Stop Lines". Drawn across roads leading out of the settlement, these define the village and the area for its reasonable extension. Proposals for housing development beyond the stop lines are normally refused, even on appeal, unless they are related to agriculture.

The village or town plan may also define areas of

special architectural or historical merit as **Conservation Areas**. To demolish any building (or tree) in a conservation area requires planning consent. Outside the conservation area, unless the building or tree is on the statutory list as a feature of outstanding merit, demolition alone does not require planning permission.

Other sections of the local plan may be devoted to proposals which arise directly out of the response of the local community at the consultation stage.

Public Participation

Central Government has stressed the importance of community involvement at all stages in the planning process. Current practice gives the community four opportunities in which to comment:

1. Members of the public may be selected on a random basis for interview on attitudes and preferences in connection with the structure plan. Also informal comments are invited from the whole community during the preparation stages of the plan.
2. At the local plan level, the general public is invited to express views in writing, at public meetings, and through questionnaires.
3. Individuals will be consulted personally on any application that is likely to affect them. Applications of more than just local significance are generally advertised on site and in the press.
4. Individuals may vote at local elections, of course, and have access to councillors. They

can also form pressure groups.

Members of the public often make use of these opportunities to participate, and their comments can carry considerable weight in deciding particular issues.

New Zealand Planning and British Planning in Operation — How do They Compare?

The fundamental tenet of the philosophy of grass-roots planning is shared by both the New Zealand and the British systems. Very broadly, it is that development may generate certain characteristics outside the curtilage, the deleterious (or beneficial) effects which are not adequately controlled by the economic system (in the eyes of the community). However, within this general philosophy, the basic difference between the two points of view is centred on one question — what constitutes a planning issue?

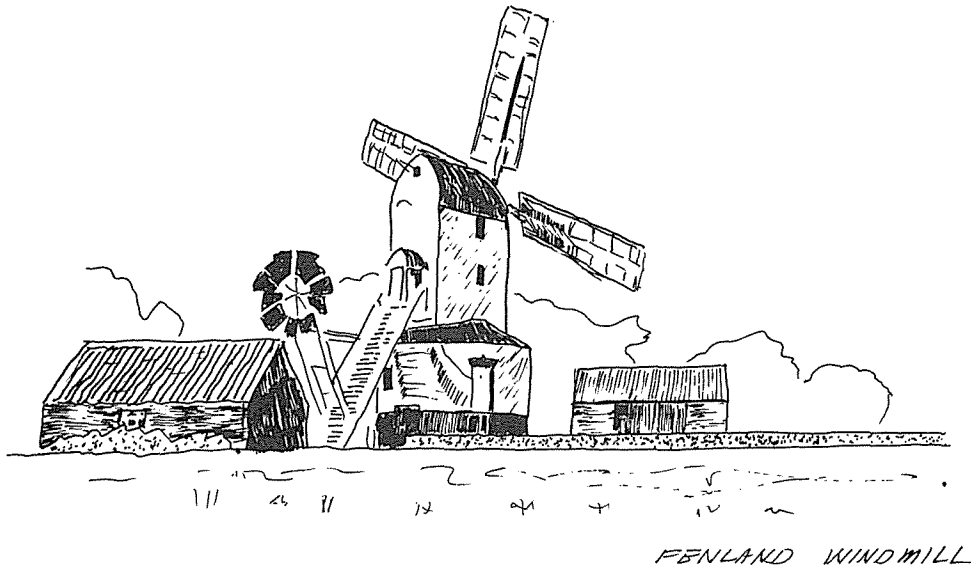
In New Zealand, a planning issue is formally identified only when it is of sufficient importance to be incorporated, at a particular or a general level, in a policy document. Most frequently this document is the district scheme. In Britain, on the other hand, planners define the issues according to the ways in which a proposal to develop could affect the status quo. In Britain, planners believe that each proposal for "change" warrants assessment on an individual basis, and that the parameters of this assessment cannot be fixed but must be allowed to vary with the circumstances. In essence, therefore, New Zealand planning is subject to the Rule of Law, whereas the British system within its statutory

framework is a less strictly legalised process.

In part, this difference in approach stems from the differences in the cultural heritages of the two countries. New Zealand cities generally had to be surveyed and established within a matter of months, and economies of scale virtually dictated that rectilinear subdivisions form an intrinsic characteristic of our built environment. Given this more or less standardised situation, amenity (when people first began to think about it) was relatively easy to define in terms of standard distances from boundaries to protect incidence of sun and light, set-backs to preserve privacy and so on.

By contrast, the traditional English environment, as portrayed by its organic settlement structure, has **evolved** over a long period of time. Its quintessential qualities have derived directly from this slow evolution, and result from continuous unconscious efforts to articulate individual requirements within the tight overall constraints imposed by a limited variety of local building materials. Given this inheritance, it was perhaps natural for the English planner, working in the small town/village context, to view each site as a special entity and to maintain that development control cannot be valid unless based on a detailed appraisal of individual sites and their environs.

In practice, there are advantages in the British system, not the least being technical simplicity, and flexibility. However, if one accepts that the *raison d'être* of local authority planning is in translating contemporary **community values** into coherent





policies of constraints and incentives in the control of change, then such technical operational advantages are cheapened by the inherent possibility that issues central to the decision-making process have been arbitrarily assumed, without being ratified by the community.

The complicated procedure for public involvement in the development control process does not actually define the issues which are to be considered. In practice, comments from members of the public are merely added to a whole list of considerations which then may be expressed as conditions to the permission. The only filter through which the planning officers' recommendations must pass is the development control sub-committee, comprised of people who are well-intentioned but nevertheless who have very definite personal values and who therefore may represent a surprisingly small proportion of the electorate.

Given this unchecked freedom, it is possible for hobbyhorses within planning departments to have a quite free reign. For example, the planning department may be particularly interested in preserving the attractive vernacular tradition of a particular village. It is comparatively easy for that department to be more than usually stringent about such detailed matters of design as fenestration and types of facing and roofing materials. Such considerations, in the context of current community values, might have no justification whatever.

The second major drawback to the British system is that it requires a large professional and support staff to operate it. In this context, a comparison between the Establishments of Dunedin City and East Cambridgeshire (Figure 4) is particularly relevant.

Even this tabulation does not give a true impression in that the staff complement of East Cambridgeshire is below establishment level, due to the current economic situation. Two technicians and one senior planner should be added to the list to attain a complete establishment.

What can New Zealand learn from British Experience?

Possibly the most instructive item that New Zealand can draw from the British experience is that public participation can and does work. Properly contrived attitude surveys can be particularly valuable in identifying problems that may otherwise have escaped notice and may be useful in choosing sympathetic alternatives for the long and short terms. More effective techniques of public participation are now being developed in New Zealand, but on balance, current British practice is somewhat more adventurous.

There is little else in the British system which commends itself to the New Zealand situation. Nevertheless, any comparison of different planning systems in different physical and cultural environments is valuable if only to gain a perspective on one's own role, in one's own job in one's own country.

References

HEAP, Sir Desmond: **At Outline of Planning Law:** Sweet and Maxwell, London 1973.

ARHILL, John: **The New Citizen's Guide to Town and Country Planning:** for the Town and Country Planning Association by Charles Knight & Co. Ltd., London, 1974.

RESPONSIBILITY OF MINISTRY OF AGRICULTURE AND FISHERIES IN TOWN PLANNING

B.A. Gunning

The Ministry of Agriculture and Fisheries has a clear role to play under the Town and Country Planning Act. It is apparent from statements made recently by Local Authority representatives that there is some confusion on their part and possibly on the part of our own staff on the role that the Ministry plays.

The Ministry's role and policy under Town and Country Planning Legislation

It is desirable to state that the Ministry is charged with the responsibility of making its expertise available particularly to the Ministry of Works and Development and to other organisations involved in administering the Town and Country Planning Act particularly as it relates to the preservation of land of high actual or potential value for food production.

The Town and Country Planning Act is administered by the Ministry of Works and Development. It is not our responsibility to administer the Act but it is our responsibility to assist the Ministry of Works

and Development. The responsibilities of the Ministry of Agriculture and Fisheries are virtually all vested in the Advisory Services Division.

Does Conflict of Responsibility Exist?

It is apparent from what Local Authority representatives say that advisory officers somewhere sometimes have opted out of their responsibilities under the Town and Country Planning legislation in that they have stated that they would not appear as witness on appeal because evidence they might give would conflict with the interests of farmer clients. In other words evidence which established the high agricultural value of a piece of land may prevent a farmer client from making a capital gain windfall from subdivision.

I do not think that there is any real conflict in servicing responsibilities to farmers on the one hand and Town and Country Planning legislation on the other. The general statement of the responsibility of an advisory officer is "to provide a sound technical and management advisory service to farmers to assist them to obtain from their enterprises the highest possible continuing net income."

Two phrases in that definition deserve attention. Firstly "from their enterprises" and secondly "continuing net income". Our expertise is related to the technology, the husbandry and the management aspects of agricultural production. Consequently we are called upon to assist farmers to obtain maximum profits "from their enterprises" and not from a flutter on the stock exchange, backing racehorses or speculation by investment in land. Similarly, we are concerned with assisting the attainment of "highest possible continuing net income". Land that is lost to agriculture through urban sprawl or through being mined does not provide for a continuing net income. Without disputing that some valuable land will be lost to agriculture there is not to my mind any responsibility placed upon us to assist or hasten this loss simply because this may be in the best "non agricultural" interests of the owner.

We have in fact fairly recently given evidence in an Appeal Court on behalf of Waitemata County which was endeavouring to prevent the owner of a small block of peat land selling it to a depth of 4 feet by the truckload in the Auckland Metropolitan area. This was not a farming use of land but was indeed a mining of the soil. A basic economic definition of the difference between mining and farming is that the latter provides for the maintenance of the asset whereas the former does not. Land which is lost to farming through urban sprawl is lost just as surely as if it had been mined.

Farmers should be left in no doubt that our wider responsibilities to the whole agricultural industry may conflict with their individual interests from time to time under this legislation as well as under

certain other legislation for which we have some responsibility. This does not preclude our advisory activities related to their properties as farming enterprises being solely in the interests of the farmers concerned.

Responsibility to Ministry of Works and Development

As stated above the Town and Country Planning Act is administered by the Ministry of Works and Development. That Ministry will ask for our assistance at certain stages such as the review of district schemes, consideration of departures from operative schemes and so on. Most staff will have had some experience in examining reviewed district schemes and will be aware that they are required to comment on the plans of the local authority in so far as they affect the possible loss of land of high actual or potential value for the production of food and conflict with this Ministry's long term proposals. If there is any aspect which officers feel should be questioned or to which an objection should be filled, it should be discussed in the first instance with their immediate controlling officer. All such cases in the long term should be discussed with Mr Money who discharges most of the regional responsibilities with respect to the Town and Country Planning Act.

In nearly all cases, if not all cases, where an objection is to be lodged it will be taken by the Ministry of Works and Development.

Similarly, if the matter goes to appeal before the Town and Country Board of Appeal, the Ministry of Works and Development will take the case calling on us and perhaps others as expert witnesses. If the Ministry of Works and Development declined to act on our behalf and we still felt concerned we could lodge an objection ourselves. There could even be cases under certain circumstances where we could take the matter to appeal before the Town and Country Board of Appeal. (The representative of the Ministry of Works and Development at the Seminar, Mr Brown, later contested this latter point but admitted that the matter was not clear and was subject currently to definition by the Courts. Without wishing to go into technicalities I would simply say that there are some places where we clearly have the right of appeal and others where this is in dispute.) In point of fact I would hope that we would never have to act unilaterally in this way.

Responsibility to Local Authorities

The responsibility of Local Authority itself is to prepare the district schemes, to hear objections and to decide these objections, to hear applications for departures from schemes and to decide these.

We have a responsibility to the local authority to assist them by guiding them in aspects of the

scheme which affect agriculture and agricultural land. This has been done in this region in various ways depending more than anything else on the attitudes of the local authority concerned. Some local authorities have been served by provision of maps and plans designating areas of land of high food production potential. Others have sought guidelines for defining the minimum economic size of units of various types such as dairy farms, orchards etc. Others have referred every proposed sub-division in rural areas to the Ministry for a decision on whether the areas created will be of economic size in their proposed use. In all cases we have complied with the requests of the local authorities and I think it is fair to say that the extent of our involvement has been limited more by the willingness of the local authorities to seek our help than by our own willingness to assist.

Protection of agricultural land from unnecessary loss to other uses is not an easy task. No method so far devised is anywhere near perfect but the provisions which call for a stamp of approval from a recognised agricultural authority in the case of each subdivision are probably the most enlightened policy. This is the method adopted by Rodney County. Each sub-divider here must not only produce a written opinion from a qualified authority that the sub-divisions created will be of adequate size in their new use, but also a buyer for the new sub-division who is a competent grower in the type of enterprise intended. At the moment the sub-divider is required to approach the Ministry for this evidence. To my mind there are two undesirable features in this practice:

1. The workload has become substantial, and
2. The advisory officer is on some occasions placed in the position of having to refuse a certificate to a client with whom he may otherwise be on very good terms.

It would, for that reason, be preferable to my mind for matters to be arranged so that these certificates were furnished to the local authority rather than the landowner who was proposing to subdivide. These are matters which may have to be sorted out in the long term.

SUMMARY.

The Ministry has a clearly defined role in Town and Country Planning matters to service the Ministry of Works and Development and local authorities in various ways in avoiding undue loss of agricultural land. This responsibility to the larger agricultural industry does not conflict with our stated responsibilities to our farmer clients and will be discharged without fear or favour.

NEW ZEALAND PLANNING INSTITUTE

Professional Cards

These notices are inserted for the general information and guidance of the public. The consultant firms listed have one or more Members of the New Zealand Planning Institute amongst their partners.

AUCKLAND

CURTIS B.J. Dip. TP, ARICS, MNZIS, MNZPI. 10 Takutai Ave, Bucklands Beach, Auckland.

RUSSELL DICKSON, 17 Peter Terrace, Auckland 9 BE (Hons), BSc, Dip.TP, MICE, MNZIE, MNZPI

DAVID DODDS ASSOCIATES 245 Parnell Road, P.O.Box 37-225, Auckland.

DODDS, D.A. Dip Arch, Dip TP, MNZPI, ANZIA.

FRASER, THOMAS, GUNMAN, SHAW & PARTNERS 152 Kolmar Rd, Papatoetoe

Partner: Parton A.O. Dip TP, MNZIS, MNZPI

Associate: Graveson J.F.

JASMaD PLANNERS 2 Whitaker Place, P.O.Box 6648, Auckland.

Director: Davies, R. Dip TP, Dip. Arch, MNZPI, ANZIA, ARIBA

Clarke, J.R.P. BA, Dip.TP (Lond), MNZPI, MRTPI

Havill, S. BA, Dip TP, MNZPI

KINGSTON, REYNOLDS THOM & ALLARDICE LTD. 44 Wakefield St, Auckland P.O.Box 5348, Wellesley Street, Auckland

Principal: Reynolds I.B. B.Arch, FNZIA, MRTPI, MNZPI

Employee: Smith M.G.S. Dip.Arch (NZ), Dip TP, (Auck)

OWEN McSHANE 24 Arney Crescent, Auckland 5. B.Arch, Dip TP (Auck) MCP (Berkeley) MNZPI

MURRAY-NORTH PARTNERS LTD P.O.Box 821, Auckland

Principal: McIntyre I.G. Dip T.P., MNZIS, MNZPI

N.J.WILLIAMSON P.O.Box 9552, Newmarket, Auckland.

Dip Urb, Val, Dip TP, Dip Bus, Admin. MNZPI

WELLINGTON

D.E. BARRY-MARTIN & BLAKE Suite 437, DIC Building, Wellington

Barry-Martin D.E. B.Arch, Dip TP (Lond), ARIBA, ANZIA, FRTPI, MNZPI

JAMES BEARD & COMPANY 59 Aurora Terrace, P.O.Box 5070, Wellington

Principal: Beard, J.A. MLA (Harv), B.Arch, MRTPI, FNZIA, ARIBA, ASLA, MRSH, MNZPI

JOHN WATSON COX 41 Ngaio Road, Kelburn, Wellington 5. LL.B. FRTPI, MNZPI

GABITES ALINGTON & EDMONDSON, P.O.Box 5136, Wellington

Planning Partners: Gabites, A.L. A.A. Dipl (Hons) (Lond), ARIBA, FNZIA, FRTPI, MNZPI. Edmondson D.J. Dip. TP (Manch.) FRTPI, MNZPI

Associates: Stroud R.G. Dip TP, MNZIS, MNZPI. Rushford, D.A. B.Sc, Dip.TP, MNZPI

M.B.PATIENCE P.O.Box 3548, Wellington

Principal: Patience M.B. Dip C.D. (L'pool), Dip.TP, RIBA, FNZIA, ARIBA, MNZPI

PORTER & MARTIN P.O.Box 5029, Wellington

Partner: Porter, D.G. B.Arch, ARIBA, FNZIA, MRTPI, MNZPI

CHRISTCHURCH

DAVIE, LOVELL-SMITH & PARTNERS, 198 Hereford St, Christchurch Box 679.

Principals: Northcroft, Nancy, B.Arch, ARIBA, FNZIA, FRTPI, MNZPI

Barker, W.H. Dip TP, MNZPI, Grad NZIS. Employees: Bryce, D.A. B.Sc, Dip.TP, MNZIS, Dalton, I.D. MNZIS

Thompson B.W. MTCP (Sydney) BA.

R.T. KENNEDY 38a Webb Street, Christchurch

Principal: Kennedy, Professor R.T. CBE, FRIBA, FNZIA,

FRTPI (Rtd), Hon MNZPI

Associate: Kennedy N.W. B.Arch, ANZIA

ROYDS, SUTHERLAND & McLEARY P.O.Box 870, Christchurch

DUNEDIN

MILLER, WHITE & DUNN 226 High St, Dunedin

Principal: Dunn I.G. AA Dipl (Hons), (Lond), MRTPI, FNZIA, ARIBA, MNZPI

NORTH ISLAND

MURRAY-NORTH PARTNERS LTD. P.O.Box 9041, Hamilton.

Partner: Westwood, L.G. ED, Dip.TP, MZNIS, MNZPI

MURRAY-NORTH PARTNERS LTD. P.O.Box 553, Rotorua.

Associate: Withy, A.L. Dip. TP, MNZIS, MIS Aust, MNZPI

E. VON DADELSZEN 903 Norrie Street, Hastings

Principal: von Dodelszen, E.H. BA, Dip.TP.

SOUTH ISLAND

ALEX BOWMAN 320 Trafalgar Square, Nelson

Principal: Bowman, A.W. MRTPI, FNZIA, ARIBA, MNZPI

ERNEST NEW & ASSOCIATES Norden Chambers, 55-59

Gala Street, Invercargill. Morven House, Frankton Rd,

Queenstown, 59 Tarbert St, Alexandra

Principal: New E.N. FFB, FG of S, MNZPI, FBSC AFNZIM MRSH

AUSTRALIA

ALAN J.BROWN & STEVEN P.O.Box 537, Southport, Queensland, Australia

Manager: Plawinski, Victor, BA, Dip TP, Dip T. & R.P. (Melb) MRAP, MNZPI

EXCITEMENT AT LAST!

BUTTERWORTHS
CURRENT LAW

20 MAY 1975

...strip unless the Secretary of State (in special circumstances) with the owner, allows a greater width owing to special circumstances.

760—Town and Country Planning Amendment Bill—Section 21 of the Act empowers the Minister or local authority to make requirements to provide for exciting and proposed public works in district schemes. The amendment makes it clear that this power extends to imposing height and other restrictions on or in land, water and air space necessary to ensure the adequate functioning or operation of public works.

WHERE WE ARE GOING TO LIVE
THEY WAS GOING TO GIVE
US LAND FOR A PARK BUT
THE COUNCIL SAID TO GIVE
MONEY INSTEAD TO THEM

AND THE ~~THE~~ COUNCIL MADE A PARK
BUT IT WAS A LONG WAY
AWAY.

SO FAR FOR ME AND BILL



A.J. Gillisen is a senior lecturer on the Faculty of Architecture and Town Planning at the University of Adelaide.

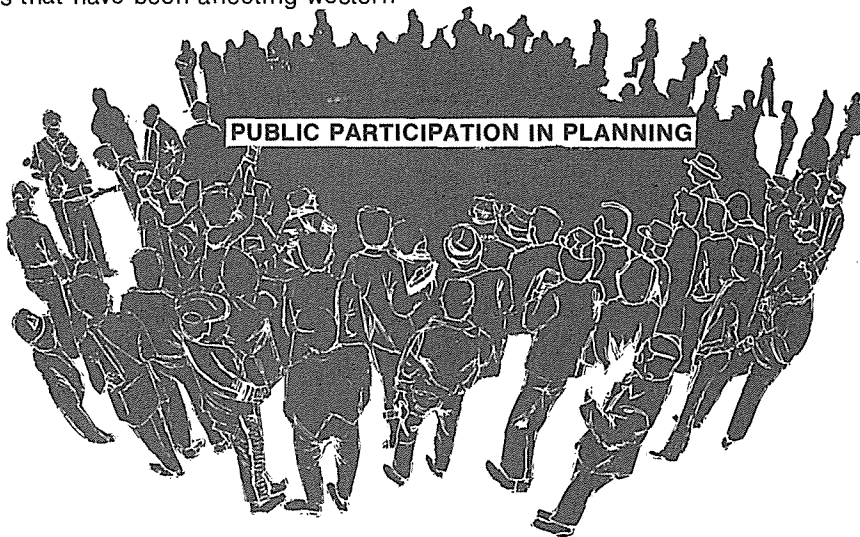
Since the late sixties no other issue has been as hotly debated in planning circles as the many faces of public participation. In some way there is a catch-cry-ness about the idea, sponsored by the fast moving world of the media. As such it has the same overtone as 'ecology', 'pollution', 'quality of life' and other umbrella-notions which gained overnight popularity. The ideas become over-exposed, abused and mis-used thereby deflating their original intrinsic merits. In these notes it is assumed that there is a serious facet to the notion of public participation which will stand scrutiny.

The issue then has arisen as a result of overall cultural changes that have been affecting western

lective aspirations of freedom, choice, option, involvement, satisfaction, fulfilment and plurality.

This is not the place to investigate these notions in greater detail but even this cursory observation makes it clear that there is a conflict between what for the sake of simplicity can be termed bureaucratic decision making and the increasing desire on the part of the people to be involved in the decisions that shape our individual and collective lives and destinies.

The repercussions have been experienced in campus revolutions, anti-war demonstrations, industrial unrest; in all three cases the pent-up frustrations of not being able to influence the decisions by allegedly in-human and/or undemocratic 'organizations' came to a climax in too many different parts of the world for the phenomenon to be written off simply as a media-induced situation.



society. It suggests that there has not been much participation as felt by the public, or alternatively that those forces which diminish such participation are on the increase. Both in fact are true; the paternalistic monarchies in western Europe up to the 19th century had no reason to allow a great deal of participation by the general populace; neither did the 19th century laissez-faire attitude sponsor such interference with the forces of maximum profit or return.

The 20th century in western society is witnessing forces which are setting up tensions of sometimes frightening magnitude. There is medical and technical progress which has been contributing on the one hand to a population explosion and on the other to an affluence explosion. The two make for a complex society which can survive only with a strongly structured system of organization; this in turn is obviously in danger of promoting bureaucratic behavioural patterns. In contrast there is a boom in education, producing more enlightened masses. These in turn generate individual and col-

The sudden flood of thinking, seminars and articles written on the subject is no doubt the result of both sets of the above forces gaining strength. The Journal of the Royal Town Planning Institute devoted a whole issue to the subject as applied to planning (1). No other respectable journal of the environmental professions has dared not to devote some space to the issue. In the R.T.P.I. journal there were case studies and discussions of papers: William Hampton's *Little Men in Big Societies*; Brian J. Styles' *Public Participation - a Reconsideration*; discussing such ideas as 'the goodness of participation', 'concepts of democracy', 'creating a responsive elite', 'problems of mass participation', and the like. From this inventory the tendency of the investigation is clear: More and more people are feeling like cogs in a wheel, little men in big organizations, alienated from the forces that have assumed the power to determine on their behalf their future and their environment. They feel like flotsam on uncontrollable waves, hopeless, purposeless.

The issue is not new in essence, only more accentuated. The whole of human history displays the swaying fortunes of man-in-bureaucratic-bonds versus man-the-moulder-of-his-own-destiny. Most societies have displayed characteristics somewhere in between these two extremes. On the one hand no society can exist without a framework of norms which inevitably impose limitations on the individuals freedom to participate in at least some decisions. On the other hand even in the most repressive societies there always remain some options for the individual. The 20th century parliamentary democratic systems looked as if they had managed to find a way out. Every man a vote sounded good until it was realized that after the vote was cast a whole bureaucratic system of government often made a fool of the superficially ideal and noble principle. Presumably then the issue is to arrive at a reasonable balance between bureaucratic and participatory decision making. Although it seems that the merits and demerits are the concern of the political scientist, it is not too difficult to visualize how this may easily overflow into the realm of urban planning.

The report of the British Skeffington Committee of 1969 (s) was the first comprehensive study made of the subject as it applied to planning. In interpreting some of the basic notions the Committee was well aware of the difficulties in establishing guide lines. They suggested that 'Participation ... be the act of sharing in the formulation of policies and proposals' but that 'There are limitations to this concept'. However, it could be said that through the normal democratic process there is a 'sharing'. The report's interpretation of The Public is therefore an important one: 'We do not think of the public solely in terms of the community as it shows itself in organized groups. We regard the community as an aggregate comprising all individuals and groups within it without limitation'. This thus not only implies direct access for the individual but access by say ad hoc pressure groups.

There may be a danger that the better educated and/or the unscrupulous will monopolize the facilities, with the silent majority left unheard. Time will tell how adequate safeguards against abuse can be built into the system. There is for example a limit to what an individual can do in terms of energy and time. Physically he could not possibly participate in all the issues affecting him. As a mere member of a group he accepts the larger organization which presumably is stronger and operates more efficiently. Nevertheless he is then also on the road to delegation and the establishment of a hierarchical and quasi-bureaucratic system.

These difficulties have been appreciated by many, as for example Peter Loveday when he wrote "...the dilemma then is to decide how the intervention may be carried out to satisfy substantive democratic demands without damage to the procedural forms of democracy" (3). Loveday goes on to suggest that there are four main arguments for

participation: the democratic argument; the practical representationist; the anti-bureaucratic; and the social therapeutic. These headings speak for themselves. They all suggest that individual man does not gain sufficient satisfaction from knowing that institutions and organizations are acting on his behalf. Although he does not wish to hunt his own food, gather his own firewood or cut his own stones for house-building, the wish for participation in the shaping of his own future and environment is an echo of these archetypal instincts.

The implications and implementation of the above ideas are manifold and cannot be the subject of this short article. Suffice it to say that governments, at whatever level, as well as other bodies, institutions and organizations involved in planning will have to open up their systems to accommodate aeration. They will have to set up apparatuses to collect and disseminate information, monitor public opinion more directly and allow for individuals and groups to have a more direct say in various decisions which will affect life as a citizen. Time will tell whether the potential lengthening of the process and slowing down of implementation of policies is a worth-while price to pay for this aspect of the quality of life. It will also show whether ultimately the planner can carry out his responsibility as an expert in fields where the people lack knowledge and experience. It may well be that the appraisals of the sovereign people have disastrous consequences. However, in all it seems that it might make the planner's job as an expert and as a co-ordinator more rewarding and the resulting environment perhaps in greater rapport with the masses.

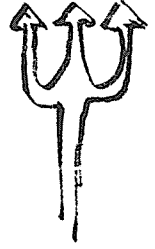
NOTES:

- 1 Journal of the Royal Town Planning Institute, April 1971
- 2 In March 1968 a committee was appointed and in 1969 the report "People and Planning", generally known as the Skeffington Report, was published by HMSO.
- 3 Loveday, Peter. 'Citizen Participation in Urban Planning', paper in "The Politics of Urban Growth", Parker, R.S. & Troy, P.N. editors — ANU Press, 1962, pp 129-149.

SELECTED REFERENCES

- 1 De Carlo Giancarlo — *An Architecture of Participation* — RAI A Melbourne Papers, 1972.
- 2 O'Mara, Paul — *Citizen Participation Sought in New Towns in Planning* — *The ASPO Magazine*, Dec. 1972.
- 3 Stokey, Stanley R. — *Citizens Participation and the New Environmentalism* — *Proceedings of the Am. Society of Civil Engineers*, March 1973, pp 69ff.
- 4 Arnheim, S.R. — *A Ladder of Citizens' Participation* — *Journal of the Am. Inst. of Planners*, July 1969, pp216ff.
- 5 Nicholson, S. — *Community Participation in City Decision Making* — *Open Univ. Press*, 1973.
- 6 Pateman, Carole — *Participation and Democratic Theory* — *Cambridge Univ. Press*, 1970.
- 7 Dennis, Norman — *Public Participation & Planners Bilght* — *Faber & Faber* 1972.

LUCIFER



THE THREE BROTHERS

A children's fable, translated from early P'Lanlanese.

The author has made an extensive study of the ancient civilisation of P'Lanlan, and considers this to be one of the most important of the early P'Lanlanese fables. It is believed that it was read aloud, compulsorily every night and twice on Sundays, to every child under the age of 38.

It seems the early P'Lanlanese were a proto technological society with a high regard for science and scientific method, whose hitherto unrecognised development has been seminal to much of modern western thought and culture.

Once upon a time there was a king who was also a very wise monarch. And this very wise monarch had a kingdom that was sundered into two parts by an insuperably deep, incommensurably sticky, inscrutably black and utterly uncrossable bogge.

This very wise monarch, who also possessed ineffable wisdom, realised that if it were possible to cross this insuperably deep, incommensurably sticky, inscrutably black and utterly uncrossable bogge many benefits would accrue to his kingdom.

Administration costs would be lower.

Trade would prosper.

The GNP would rise. Even the real GNP per head (after indexation for inflation) would rise.

Not only would the royal coffers bulge even more but the people would prosper too!

So this king caused a proclamation to be issued.

"Hear ye! Hear ye!" quoth the proclamation (as all good proclamations do)

"Hear ye! Our excessively good, ineffably wise, insuperably intelligent, overwhelmingly benign, incredibly omnipotent, wonderful, fantastic and fabulous royal monarch, emperor of all, doth proclaim the following proclamation:—

That because of the benefits which will accrue to this, my most beautiful, luxurious, desirable, kingdom of chauvinis-



... THE HAND OF
PRINCESS MIRNA ...



rushed into the swamp, never to be seen again from that day to this.

"Hmh", sniffed the second, scientific brother. "Now my impetuous sibling has sunk in the depths of his folly I shall win these incredible rewards, including the hand of the Princess Mirna. I am not impetuous, like my brother. I shall be scientific, and gather data, and analyse this data to make deductions, and base my decisions on the deductions deduced from the analyses produced from the analysis of my extensive raw data."

Thus the second brother commenced gathering data

tically fabulous climate, our lovable, adorable, excessively good, ineffably wise (and so on) monarch will bestow incredible rewards;

Including the hand of the overwhelmingly beautiful, incredibly dutiful Princess Mirna.

On any man who shall succeed in finding a way of crossing this insuperably deep, incommensurably sticky, inscrutably black and utterly uncrossable bogge which doth sunder my kingdom unto two parts."

When the people of the kingdom heard this proclamation they became excessively excited and greatly agitated, dashing this way and that, like a hive of bees that has been trodden on by a Clydesdale, driven by the desire to be the recipient of incredible rewards, including the hand of the overwhelmingly beautiful and incredibly dutiful Princess Mirna.

At that time there were also three brothers in the kingdom.

"I am going to win these incredible rewards, including the hand of Princess Mirna," postured the impetuous brother. So saying, he seized his staff and



about this insuperably deep, incommensurably sticky, inscrutably black and utterly uncrossable bogge, that sundered the kingdom of the ineffably wise and overwhelmingly lovable monarch unto two parts.

By the end of the first year he had accumulated three tons of files of data about the bogge; how wet it was and how dry it was, and how wet the dry was and how dry the wet was, and many, many, many other useful facts about the bogge.

When the king heard of the scientific brother (whom the federation of filing cabinet manufacturers were careful to bring to his attention) with his three tons of facts, being such a wise, benevolent, thoughtful and ineffably intelligent emperor, he realised that the scientific method was the only way that this deep, black, and so forth swamp would ever be crossed.

So the scientific brother was instituted as the official swamp crosser, with a correspondingly big, fat, and thoroughly satisfying salary, on a lifetime contract.

And so time went by, while his files of interesting facts became heavier and heavier and heavier. Unfortunately, although the federation of filing cabinet manufacturers prospered, the bogge remained as always, wet, dank, and very, very, boggiferous.

The youngest brother was



..THERE WERE THREE BROTHERS..

different from his other two brothers. In the words of his grandmother, he was a lazy, indigent, obstinate, slotful, no-good, philosophising, dreammonger, who persisted, despite many beatings from his grandfather, in finding shortcuts to the traditional ways of doing things. So being slothful and lazy he did not dash out unto the bogge with a staff, nor did he scientifically prepare to collect scientific data. He did not even really proclaim his intents on the hand of Princess Mirna.

Instead he went and sat on a hill and looked at the bogge, and thought. And eventually the germ of a seminal idea drifted into his head and took root in his mind until it grew and blossomed into inspiration.

"Why," he questioned, "Why is the bogge uncrossable?"

And eventually he found an answer to this self imposed conundrum.

"Because it is a bogge".

"But why is it a bogge?"

This was a harder question to answer, but after extensive cognitive effort he eventually answered this question too, to his own satisfaction.

"The bogge is a bogge because it is wet".

"But why is it wet?"

Well, that was probably the most difficult question he had ever posed himself. Harder even than the time his grandfather had beaten him for sitting for a week watching the hen coop to try to determine whether the hen predates the egg. Eventually, however, after hours of cogitation (during which time the second brother accumulated another two tons of files on the distribution of clumps of exporto grass on the surface of the bogge within reaching distance of the bogge), he had a genuine, real, true to life flash of inspiration verging on the genius.

"The bogge was a bogge because it was wet, because the water wasn't draining away..".

"Why wasn't the water draining?"

"Well...

"well...

"well...

"Water runs to the lowest point".

So he went and looked at the lowest point of the valley that the bogge lay in. And there, running across the lowest point of the valley, nearly, if not wholly, in the next kingdom in fact, was a great dyke, holding the water back and making the bogge the very wet, dank, deep, black, and so on and so forth uncrossable bogge it was.

And at the foot of the dyke was a floodgate, constructed in years gone by by the ancient and antique artisans of old, who, in those dim reaches of the past, beyond living memory, and wrought with great artistry and skill this wondrous construction.

So the youngest brother, being a patriotic fellow, and realising the merits of his excessively good, ineffably wise, insuperably intelligent, overwhelmingly benign (and so on and so on) royal monarch's proclamation went down to the floodgate. And lo! With the very touch of his hand, this massive floodgate, wrought with great artistry and skill as a wondrous construction in the dim reaches of the past beyond living memory by the ancient and antique artisans of another era, slowly opened.

And the water gushed forth.

And the bogge dried out.

And trade prospered.

And administration costs fell (for a time).

And even the real GNP per head (after indexation for inflation) rose, all as their great, wise, good and benevolent monarch had prophesied.

Was the third brother, the patriotic brother, who did his king's command and who was responsible for all this coming to pass rewarded suitably?

Well the bogge crossers and mud boots manufacturers federations lost a lot of trade, for

there was no need for their services any longer. So, the kingdom being in those days a true Market Economy, they complained to the king, seeking protection and redress. And the neighbouring king was upset also, because the draining bogge turned his favourite trout stream black (just like his face when he saw it) so he sent his ambassadors to protest loudly.

The king didn't like all this noise and clamour and confusion, and everyone could plainly see that it was all the third brother's fault for opening the floodgate.

So when the Society for Prevention of Community Standards petitioned the king to have thinking proclaimed an indecent activity (because as everyone knows it certainly isn't work), the king, being such a wise, benevolent, etcetera etcetera royal monarch immediately saw the wisdom of their arguments and passed a retrospective bill, prohibiting thought within his prospering and happy kingdom.

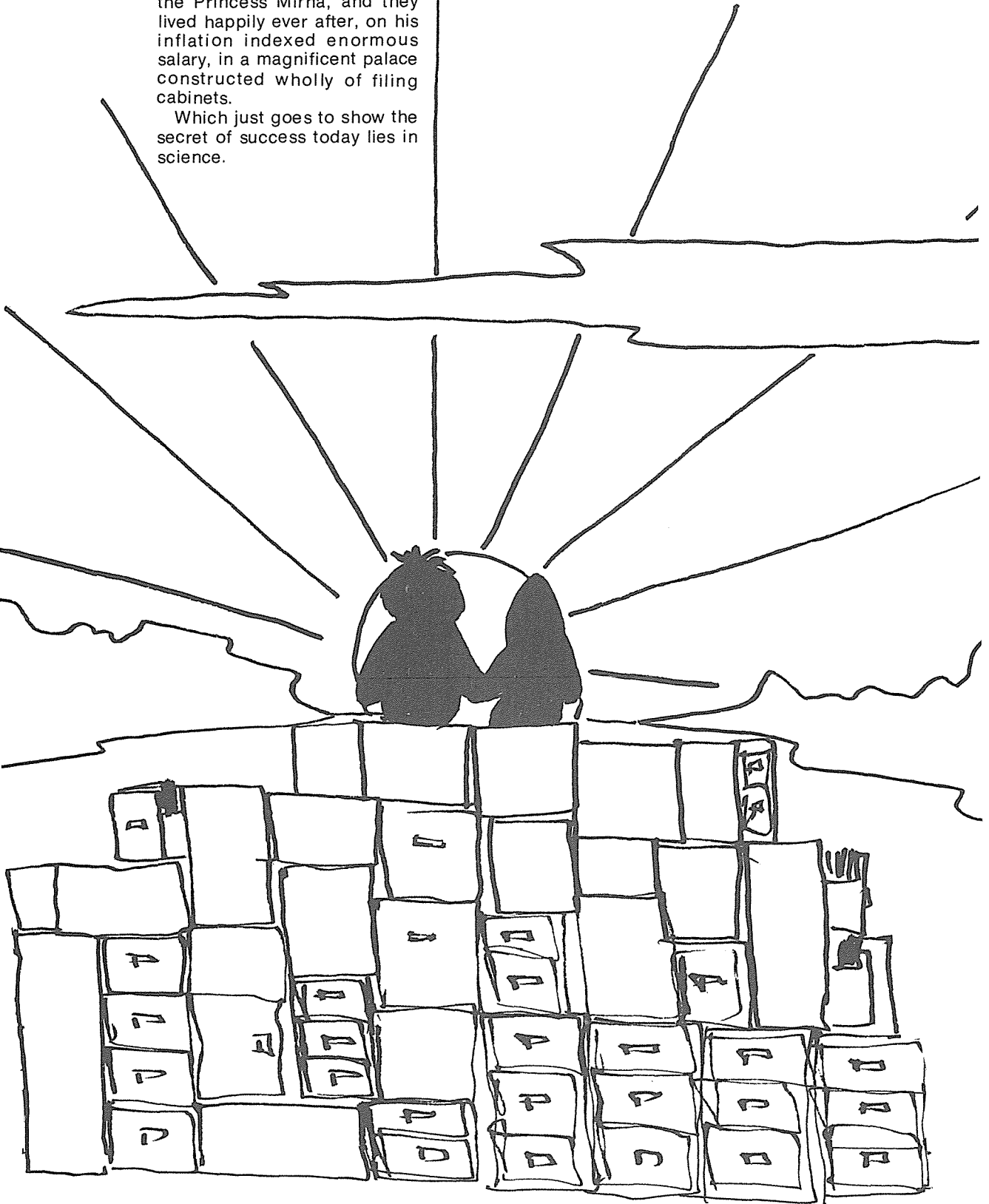
And so the third brother was sent to prison, and, for all I know is still there.

And whappened to the Princess Mirna? The incredibly beautiful, overwhelmingly dutiful Princess Mirna?

Well — the second brother had, by now, gathered so many tons of information about the bottomless bogge that was no longer bottomless that everyone realised that he must truly be the wisest, most intelligent, and intellectually omnipotent man in the kingdom. Far wiser even than their benevolent, wise, and up till then omnipotent monarch. So, with a little encouragement from the filing cabinet manufacturers federation, they desposed their ex excessively good, ineffably wise, insuperably intelligent, overwhelmingly benign, incredibly omnipotent, wonderful, fantastic and fabulous royal monarch, once emperor of all, and installed the second brother in his place.

And subsequently he married the Princess Mirna, and they lived happily ever after, on his inflation indexed enormous salary, in a magnificent palace constructed wholly of filing cabinets.

Which just goes to show the secret of success today lies in science.



Planning Powers and the Conservation of Farm Land in New Zealand

Gerhard Rosenberg

The Town and Country Planning Act 1953 has placed planning powers into the hands of local authorities. National policy is making its weight felt, but lightly. As far as agricultural interests go, there has been from the start, and increasingly so since the Physical Environment Conference of May 1970, a tendency to reinforce the position of those who want to conserve productive land against urban encroachment. Nevertheless, the situation remains basically one in which these interests are best served, if they are able to carry conviction with the local planning authorities, rather than if they seek the intervention of central government.

The Physical Environmental Conference saw in the Town and Country Planning legislation the most likely instrument to control the pattern of land use and development, and they greatly contributed to the consistency and rationality of this control by a suggestion, which was incorporated in Amendment No 153 1971 to the Town and Country Planning Act 1953, making it a requirement for local planning authorities to set out planning objectives, and the policies to be pursued in order to achieve these objectives. (Section 30 (6) (b)). This requirement would force the planning authority to think out and put into words its policies with regard to the rural zones in their areas. A further large step forward in the direction towards greater concern for agricultural interests was the Amendment No 95/1973 to the Act, which declared the following issues "Matters of National Importance":

- (a) preservation of coastal and lakeshore environment
- (b) avoidance of encroachment of urban development on, and the protection of land having high actual or potential value for the production of food,
- (c) prevention of sporadic urban development in rural areas.

Limb (b) of the amendment is not absolute. Avoidance is not a prohibition, but it is a strong hint of

the attitudes to be taken by any Appeal Board in any particular case of conflict, thus lending strength to any planning authority that wants to prevent such urban encroachment. The protection becomes stronger, if more than one of these three situations combine in any one area, e.g. if there is valuable agricultural land, near the coast in a rural area hitherto free from urban development.

A new development further strengthens the legislative position of the rural lobby: the Local Government Act 1974 introduces Regional Government to New Zealand. The new regions will all contain rural land, and many of them will contain both urban and rural land. Unlike the present local authorities, who are planning by District Schemes, the new regions will according to section 75 of the Local Government Act 1974 plan by Regional Schemes.

The purpose of a regional planning scheme is:—
3 (1) "... the conservation and economic development of the region to which it relates by means of the classification of the lands comprised therein for the purposes for which they are best suited by nature or for which they can best be adapted . . ."

Apart from the Auckland Regional Authority, which had special executive powers, we have only had Regional Planning Authorities in the past, with very little power or practical executive experience. In the new Local Government Act, definite functions are handed to the new Regional Authorities, which will be exercised by a directly elected regional council. One of these functions is regional forestry. Sections 77/78 of the Local Government Act 1974 provide for regional councils to "establish, tend and utilise forests." If taken up, this function will encourage the new regional authorities to enter the field of rural land management, and to co-operate both with private sectors of the industry and with the State Forest Service. The authorities will in any case deal with regional reserves, and the forest function will encourage multiple use and land management on a large scale. This seems a subtle move in the direction of giving these authorities, who are generally heavily inclined towards the urban view point, a firm footing in the rural world as well. Section 75(6) of the same Act gives the regional authorities the power to

"purchase or otherwise acquire . . . any land in the region, if in accordance with the scheme it is necessary or expedient to do so for the proper development or use of the land . . ."

So, here we have the power to actually buy or lease the best agricultural land, if there is no other means to protect it from urban uses. Furthermore, if the Regional Authority should be in serious default, the Town and Country Planning Act may be used by the central power to intervene: "The Minister shall have a right of appeal to the Board at any time so far as the regional planning scheme in his opinion conflicts with the public interest." (s. 4 (2)).

The Minister is the Minister of Works and De-



velopment, but the Crown can intervene through him on behalf of all other Government Departments.

Under the present local government structure, the planning schemes are mainly local District Schemes. The Minister has rights to object at certain stages of the preparation of these schemes, and rights to appeal, if his objections,— or suggestions, or requirements,— are not accepted. (s. 24 (1) and (2)). His grounds are also the public interest, which is clearly stated in the 1973 amendment, as far as valuable food producing land is concerned. In District Schemes, the Minister may make requirements which are compulsory insertions into the District Scheme, but these requirements must relate to public works, for which the Minister is financially responsible, including public reserves. The acquisition of valuable food producing land might well be capable of being included under this definition, if necessary by an amendment of the Reserve and Domains Act 1953.

Those who want to make specific proposals for the protection of agricultural interests in planning schemes, will find an opportunity in clause 9 (2) of the Town and Country Planning Regulations 1960, which requires a council preparing a District Scheme, to publicly invite proposals and suggestions. However, this clause only applies to new schemes, and there are hardly any districts left without a scheme. Local authorities have gone out of their way to invite suggestions and proposals even for the five-yearly reviews of their schemes, and many local authorities are at that stage at this time. Proposals are welcome in any case, especially

when they are well argued and specific, accompanied by maps, showing clearly the areas to which the proposals refer, and by evidence of support for any restrictions on land use which are advocated. The review of a planning scheme is carried out according to sections 30 and 30A of the Town and Country Planning Act. Any provision of an operative scheme becomes open to objection, if the scheme has been due for review for more than 12 months. Not only the Minister, but any body of persons interested in any objective of the District Scheme may lodge objections — or suggestions — and these may deal with the maps, or the code of ordinances, or the scheme statement, which sets out the objectives of the district scheme. The latter is becoming increasingly important as a guide to consistent planning policy in each of the land zones.

The delegation of planning powers to local authorities makes planning decisions to some degree a matter of grass roots consent. The democratic aspect of planning in New Zealand is reinforced by the institution of the Town and Country Planning Appeal Boards, where individual issues can be argued by expert and interested parties. The decisions of the Board reflect the shift in emphasis to the protection of farm land since the 1973 amendment. Departures from the uses permitted in a rural zone are harder to obtain. The following passage is quoted from a recent case:

"For the benefit of other persons who may be disposed to bring appeals before this Board in respect of similar situations, and for the assistance of the respondent Council, the Board wishes to state quite bluntly that it would consider specified departures of this type within the rural zone only in the most exceptional circumstances, and those circumstances would have to pertain to the land and not to the personal circumstances of the applicant."

(Hayes v Hawkes Bay C.C., Appeal No. 240/72, p.A 1750)

Residential subdivision in a rural zone would only be allowed, the applicant wanted to subdivide farm land "difficult to use for agriculture,"

- if
- (a) the land was of low actual or potential value for food production,
 - (b) the land was capable of septic tank and artesian well services,
 - (c) the land was contiguous with existing residential development,
 - (d) and there was some compelling reason why the land should be used residentially before being re-zoned.

(Munro and Coom v Hawkes Bay C.C. 508/73, p.A 1015)

Although the Board tends to uphold a rural scheme which prevents urban or residential subdivision, it is mindful of legitimate residential needs. The purposes of District Schemes are stated in Section 18 of the Town and Country Planning Act

1953, as:—

"The development of the area to which it relates in such a way as will most effectively promote and safeguard the health safety and convenience, and the economic and general welfare of its inhabitants, and the amenities of every part of the area."

Thus, where regional schemes are area and economy oriented, district schemes are more people-oriented.

The Board is

"unable to restrict growth without being able to make provision elsewhere for the alternative accommodation of persons and industries."

(Florance v Waimarie C.C., 886-890/71, 9953)

In another case, the Board recognised the right of the Maori people to live adjacent to a marae, provided this could be accomplished in a properly planned manner. It would be difficult to resist applications, unless planned and serviced sections were provided.

(Morris v Hawkes Bay C.C. 542/72 p. A 1779)

Substandard allotments were thought to be an essential need, because it was a question of the life style of the community, and they should be located in a rural-residential zone:

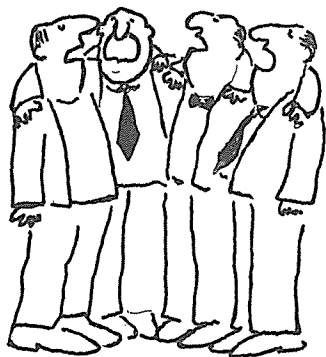
"Alternative provision must be made for valid rural living demands by selecting appropriate areas."

(Transport (Nelson) and M.W.D. v Waimea C.C., 17/74, p. A 1288)

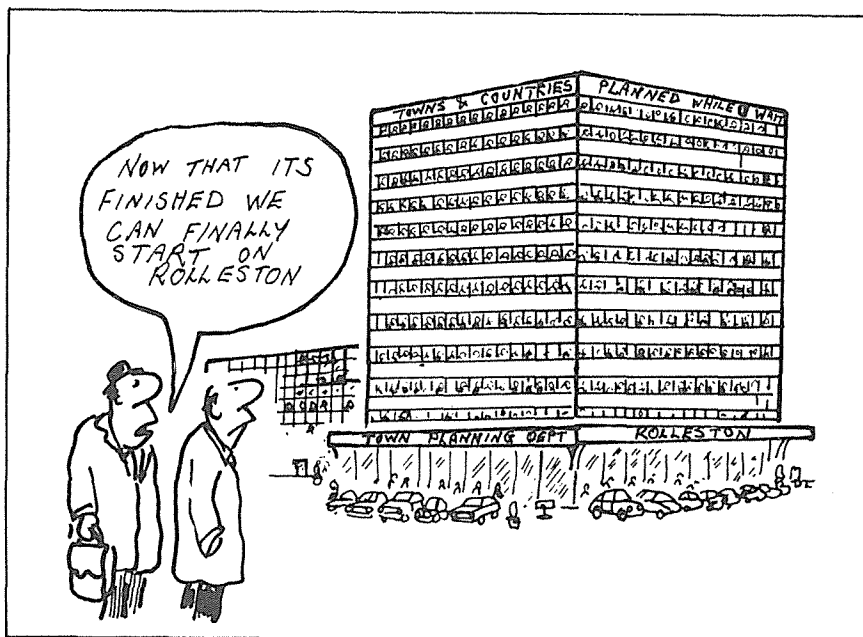
The suggested allotments should vary between 1/2 acre and 5 acres, and the size of the zone should not be large, 75 to 125 acres.

It is well for those who oppose urban encroachment in the countryside to keep in mind that urbanisation has led to almost the entire rural population growth being concentrated into urban areas. If there was no urban growth, would the land taken from agriculture by these people in their rural locations have been any less? It is not really a matter of whether there is to be a loss of rural land, but rather where that loss expectation of capital gain a normal and needed component of farming within the environs of an expanding urban area.

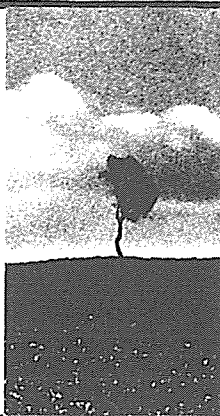
If the productive resources of this country are to be protected — and I suggest that you give as much attention to water resources as to productive soils, — the case must be addressed to landowners as well as to representatives of urban interests. The Town Planning legislation does not lack in power, but the performance of town planning is only as strong as elected Councils wish it to be. Their intentions can be influenced, and it is up to the representatives of rural interests to prepare and state their case in each instance on the basis of relevant and convincing facts.



"AND WE SWEAR NOT TO OBJECT TO EACH OTHERS SCHEMES..."



CASEBOOK



Derek Hall, LLB(NZ), DipTP (Hons) (Auck), (M), is a Senior Lecturer in Town Planning at the University of Auckland.

ECONOMIC FARM UNITS

D. R. Hall

It is often desirable to keep land in farming use, because this is desirable per se on account of the quality of the land; because this is a factor in keeping land out of urban use where this is desirable for other reasons, for example economy of servicing, or to avoid compromising future urban subdivision possibilities; or because it is undesirable for economic and aesthetic reasons to have disused land (although disuse **may** be better than the wrong use). One technique which purports to aid in achieving this objective is the 'economic farm unit' requirement for subdivisions in rural areas.

In **Minister of Works and Development v Taieri County Council** (1975) Decisions p.A1990, an appeal under s.33 of the Counties Amendment Act 1961, the relevant provisions of the district scheme read as follows:

(a) No subdivision in the rural zone shall be approved unless the Council is first satisfied that every allotment in the subdivision in-

tended for agricultural use will be capable of being used as an economic agricultural unit ... and that no allotment is likely to be used primarily for residential purposes.

- (b) The applicant for consent to a subdivision in these zones shall state in writing the intended use for every allotment in the subdivision and may adduce such evidence as he thinks fit on the question whether every allotment in the subdivision intended for agricultural use is or is capable of being used as an economic agricultural unit.'

A little later the Appeal Board said:

'The applicant's case proceeded substantially on the basis of the following assertions:

- (a) That the district scheme does not require it to be demonstrated that every allotment in his subdivision **will** be used as an economic agricultural unit — **only** that every allotment is **capable** of being so used;

Having considered the evidence and submissions the Board holds:

- (a) That the first of the applicant's assertions is well founded and that the district scheme does not

require it to be demonstrated that every allotment in a subdivision of land in the rural zones intended for agricultural use will be used as an economic agricultural unit; only that every such allotment is capable of being so used in the future'....

It is not clear what effect the Board gave to the words 'and that no allotment is likely to be used primarily for residential purposes'.

Four days after giving its decision in that case, the Board issued a decision in **Piaki Farm Limited v Piako County Council** (1975) Decisions p.A1998, also an appeal under s.33.

There the relevant ordinance of Council's publicly notified reviewed scheme, which the Board considered relevant by virtue of s.30B of the Town and Country Planning Act 1953, read:

'In a rural zone, no person shall subdivide land except as follows:

(a) **For Farming Purposes** Every allotment created by such subdivision shall be of such an area that it is capable of being used as an independent economic unit, based on the productivity or potential productivity of the soil.

Before making a decision in each particular

case, the Council shall have before it the following information on which a decision shall be made.

(i) A report on the application to include:

(a) An appraisal of the suitability of each proposed allotment to operate as an independent economic unity for the type of farming used proposed, taking into account all relevant factors including soils and climate.

(b) Other town planning considerations relevant to the District Scheme and the application in particular.

(ii) Such evidence as will satisfy the Council that such new allotment is likely to be used for the type of farming use proposed.'

The Board said:

'...we hold that the operative scheme and that recommended review only require the allotments on the appellant's scheme plan to be **capable** of being used as economic units. Notwithstanding the provisions of sub-para (a) (ii) — which appears as part of the quotation in para 5 hereof — the respondent is not required to be satisfied that the type of farming which it is asserted will be economic on the new allotments will in fact be conducted thereon.'

It is not clear why the Board so held, but possibly because the 'likely to be used' part was not part of the operative clause. An identical provision was included in the Ordinances approved in **Booth v Wairarapa South County** (1970) 3 NZTCPA 321, but there no comment was made on the 'likely to be used' part.

It may be questioned whether those two decisions, apparently related to the facts of the cases, warrant any general discussion. The feeling is

that they show a strong inclination on the part of the Board to interpret such clauses that way if possible. Also, the **Booth** formula probably appears in a number of schemes and the **Piako** decision will be directly relevant to them.

Incidentally, the 'likely to be used' clause or similar clauses have commonly been taken to refer to the actual likelihood of the lot or lots being used for farming purposes, although it could possibly be interpreted to mean the likelihood resulting from the size etc. of the lot. It seems to be this former meaning which is now under fire.

Is this good or bad? A measure of control will be lost, but has not the practice been more trouble than it is worth because it is unrealistic? Why put so much emphasis on the **initial** use when it is well known that circumstances and the use may change because the original intention to farm was phoney, because the owner has had a change of heart, or because the property has been sold to a different owner with different intentions? Rather than hope that it **will not**, it seems more realistic to accept that the property **may** be under pressure for a subsequent change of use. This would be more in accord with the general principle that land use control should think in terms of any owner rather than a particular one.

Then, the function of subdivision control can be seen as ensuring that no lots are produced which are not **capable** of being used for conforming uses, for the obvious reason that the use objectives are not likely to be attained if the lots cannot be so used. But for ensuring that the lots **are** so used, bearing in mind that often a certain sized lot can be used for non-conforming as well as conforming purposes, other controls are necessary. The obvious one is the zoning use ordinance. In this connection is

there any reason why an owner who is not in fact farming an economic farm unit but is living on the property should not be stopped because he is in fact using rurally zoned land for residential purposes? If a problem is that owners are not aware of this possibility, perhaps some other supplementary technique such as a restrictive covenant in favour of the council not to use the land for residential purposes should make the position quite clear.

There is of course the problem that land might be nominally farmed far below its real potential. It is hard to see how this can be avoided, unless it would not be too radical to specify **economic** farming as the permitted use. Generally, though, in the borderline cases, it would have to be decided on the facts whether the particular use is really farming or residential. Incidentally, short of acquisition, there is nothing that can be done about disuse rather than misuse, except that if smaller lots were leading to much disuse, it may be better not to allow small lots at all even if that means preventing **some** desirable uses to occur.

This does lead to another question. Do we need the 'economic farm unit' provisions at all? **Booth's** case and **Otago Surveyors v Dunedin City Council** (1971) 4 NZTPA 96 pointed out the senselessness of **arbitrary** minimum lot sizes, but what of **rational** ones?

Firstly, the actual minimum lot size for economic farm units for an area, for all or perhaps just likely and desirable farming uses, may be able to be established in advance of any particular proposal and such minimum made the minimum lot size in the zoning ordinances. If really necessary, the 'economic farm unit' provision could be included as well, as a performance standard type of safety valve provision for the unforeseen situation. Sec-



CONFERENCE

*J. C. Stewart,
M.A.(Hons) Dip. T.P. (M)
Senior Planning Officer
A.R.A.*

The New Zealand Planning Institute Seminar which was held at Massey University from 24th-28th May 1975 could be regarded as a qualified success. Although it was a compromise between the Summer School which had been proposed and the traditional conference, it did have many of the advantages of the former.

The programme allowed more time for discussion of the formal papers than has been the case in the past and the papers did provide a useful basis for the development of the regional theme which became the main concern. The fact that this was not the theme printed on the programme did not seem to matter and this also was a reason for the success of the seminar. Flexibility and a lack of rigid structuring in fact characterised the organisation of the seminar.

The workshop groups were free to study any topic in any way they chose and it was interesting to see that there was considerable duplication. As an experiment therefore the workshop idea was successful but the organisers of future seminars must consider whether the promotion of discussion of planning issues is the main objective or whether some definite output (for instance recommended solutions to planning problems) should be required.

As valuable as anything else was the length of the seminar. The 5 evenings for which planners were gathered in Palmerston North provided an opportunity for informal discussion and debate on every subject, to renew friendships, and to make new ones.

An opportunity was missed in not relating the seminar theme to events which could be observed in the vicinity of Palmerston North. A bus tour was provided but the main impression from this was that the senior executive officers of the Council have been able land agents and that publicly-owned land is so abundant that Council is not sure how to use it all.

It was noticeable that politicians and particularly those who had attended previous conferences, were able to make a useful contribution to discussions. The nature and theme of the seminar helped in this respect also. Politicians as well as planners were concerned about the future local government structure in New Zealand and their respective roles and thus found common ground. Perhaps in consequence there was no overt politicking.

One could choose whether to be in a regional or a district planning workshop but otherwise the members of each workshop were chosen in an arbitrary fashion and this affected the output. On one hand the diversity of viewpoints (politicians, local and central government planners, and private practitioners) meant that consensus was difficult except at a very general level. On the other hand, the debate itself was valuable.

The fact that the seminar was held at Massey also meant that discussions carried on past the workshop sessions, in the dining room, in the hostels and on the campus. A true Summer School in such surroundings should have every chance of success.

The seminar opened with an address by the Hon. R.J.Tizard. His theme of regional planning turned out to be the true theme. Mr Tizard's sort of regional planning, however, is concerned with things such as new towns or container ports in the South Island, the promotion of manufacturing industries on the West Coast or transmission assembly plants in Palmerston North. In other words, cutting up the national cake and giving larger portions to those areas which the Government view need it most. He did not discuss the role Government plays or should play in the sort of regional planning envisaged by the Town and Country Planning Act.

Mr Tizard's paper was informative and helped set a context for the papers and discussion which followed. In particular the role and function of the Regional Development Councils (which had been mentioned by Tizard) was debated and criticised throughout the seminar.

W. Williamson's paper **Local Government Reorganisation: A Possible Administrative Structure for Planning**, provided a foundation for the theme set by Mr Tizard. His paper was in fact a 1974 publication of the Department of Internal Affairs entitled **The Local Government Act 1974: A Guide to its Operation**. It should be required reading for anyone who is concerned with local government. In his address Williamson added nothing significant to what was contained in the paper. It was apparent that as a public servant he could explain only what the Local Government Act provides for and how it will affect the local government structure. He was not prepared to speculate on the reasons for or rationale behind the Act. It would have been useful to have been able to question the Minister in charge of the Act on these things.

Tony Town in his paper **Planning and the New Local Government Structure**, was less coy about

giving his opinion on the role Government should play in the new local government structure. He made the point that now the Local Government Act is in force the spotlight has turned from Parliament to the Local Government Commission and the pattern of local government it may choose to establish. The Commission has wide discretion and the Act is now overspecific in the criteria which the Commission is obliged to follow. Town suggested that as planning is one of the mandatory functions of the new regional councils that in terms of area, scope and composition, would be most appropriate for effective regional planning. He recognised that regions defined in these terms may not be so effective for other functions which might become the responsibility of regional councils.

In proposing a new regional planning process, Town urged that it will be important to make the distinction between regional and local planning as clear as possible. He sees great value in basing planning on a regional scheme because it provides the means for expressing and publicly considering regional policies, the means of implementing those policies, the means of control to prevent developments that would be in conflict with or be likely to undermine those policies, and the means for effecting orderly and publicly considered change to those policies. For a regional planning scheme to perform such a function the Town and Country Planning Act will require fundamental change and the Review Committee has in fact recommended such changes. The most significant of the proposed changes endorsed by Town were that the regional scheme should be paramount in respect of essential elements that are of regional concern and that Central Government should be the final approving authority for regional schemes, replacing the Appeal Board as the final arbiter. This is not the place to debate the Review Committee's recommendations, but it is significant that Town not only supported the recommendation but went on to defend it. It is strange that there was so little debate on this aspect of the paper for it proposed a radical departure from the existing order and is one which has implications for local as well as regional authorities.

The Local Government Act 1974 and the regional government it proposes will affect us all and for this reason the papers by Williamson and Town should have been of general interest. The interests of district planners were recognised, however, in the papers by Crawford, Bagnall and Williams. Those who attended these papers would have felt, more than the regional group, that the seminar theme was as printed in the programme.

The six essays by P. Crawford were rather too long for full digestion at the time. In retrospect, however, they offer interesting comment and advice under the general theme of research, which is Mr Crawford's forte. He argued the case for research very persuasively. Theory, based on research, is as essential to planning as it is to any

science though he admitted that planning is both a science and an art. Crawford criticised the adoption by some local authorities in New Zealand of fairly uniform or standard planning controls and questioned the value of an Act which has tended to promote this. Again, research should have indicated the particular planning problems and therefore led to particular solutions to those problems in each local authority area. Planning is a process and the success of planning depends as much on the mechanism to implement planning as to administer planning.

Formulation of planning policy according to Crawford is probably one of the most difficult tasks in local authority planning, yet such policy has the potential to be a powerful tool in local government administration. It was emphasised that policy formation has to be approached systematically from a firm research base. The research must be the right research of course using reasonable assumptions and the results must be used as a means rather than an end in themselves.

Just as the planner should use research as a basic tool of his profession and should understand how and in what areas it can help him, the researcher also must understand the system and profession within which he operates. He must ensure that the language of research gives direction and recommendations in a positive manner and that these directions or recommendations are relevant.

Peter Bagnall's paper **Planning for District Councils: Low Men on the Totem Pole** argued that the result of the 1974 Local Government Act is that planning as a local government function is going out, to be replaced **not** with a new form of local/regional autonomy but with a three-tier hierarchical government structure that is centralist, not regionalist in nature. This will be reinforced because central government policies will control the distribution of money for national and regional works within the regions into which the country is to be divided. Bagnall argued that the role of district planning will be downgraded — that there will be an even greater gulf than there is now between district planning "tradesmen" and those in the corridors of power. He went on to suggest that district planners will be concerned with one principal constraint: the need to save money. They will have a second major responsibility, namely, to respond to the people who want "planning" to embrace an ever-widening area of activity. The responsibility a district planner faces is his involvement more and more with the views of the enthusiastic amateurs in his community is not to become another enthusiastic amateur himself.

Bagnall then turned attention to some of the "matters of detail" which he claimed would be left to district planners. Zoning control would be one of these but he argued that to blanket the whole of New Zealand with urban-type zoning must be viewed as one of the costliest and silliest pieces of misguided enthusiasm in the whole history of our

profession. He sees a need for firm zoning at the rural-urban fringe, however, and is concerned that the Local Government Commission may obliterate the existing barrier between the conservative rural councils and the urban councils which are committed to growth and change. On the matter of rural/urban fringe zoning, Bagnall advocated:—

- (1) honesty about the many unresolved planning conflicts.
- (2) an admission that time will resolve many conflicts that planning can't.
- (3) adherence to the principal that the zoning scheme should be changed from rural to urban **after not before** the planning conflicts are resolved.

The question of residential densities is likely to remain a district planning problem. To some degree this can be resolved into the question of how to establish an administrative system that will progressively improve the quality of discretionary decisions by councils in the light of experience.

The regulation of land subdivision will also remain a concern of district councils. Councils have a say in how land is subdivided but not when. Nor is it clear how involved planners are or should be in the design of the subdivision. District schemes are silent on this expect for restating the rules of thumb about frontage and area.

Finally, Bagnall gave credit to the Appeal Boards for strengthening the status and stability of planning committees and their staffs.

As a pessimist, cynic and prophet of doom, Bagnall can have few peers. Many planners will not be able to agree with his forecast of the future, especially when the future is by no means clear, despite the Local Government Act. Perhaps it is desirable, however, that this point of view was expressed. To be forewarned is to be forearmed.

The "special feature" of the seminar was of course the paper by Dr Max Neutze on **Public Acquisition of Land for Urban Development**. For this paper the seminar joined forces with the Public Administration Conference which was being held at the same time. This seemed to be an economic use of resources. Although Dr Neutze's paper was not perhaps directly related to what had become the main theme of the seminar, it is a topic which is of particular interest to planners, and the questions which followed the presentation of the paper reflected this.

Dr Neutze argued that as about forty per cent of the urban area of most western cities is already used for public purposes, the proper question is not whether the public should acquire the land for urban development, but when they should do so. As he pointed out, public purchase of land for urban development has not been uncommon in some western countries. In Sweden, and the Netherlands, for example, land is purchased by public bodies for urban development. In Britain too, the New Town Corporations acquire the land

CHARLES PUTT

J.R.SANFORD MRTPI

"It was with sadness that I heard of the death of my old friend Charles Putt. I was his assistant from 1950-53 in the Planning Department of the City of Auckland, and his kindness, sense of humour, sound judgement, and sincere friendship has remained in my memory.

He was one of the pioneers of Town Planning in the years

before 1940, and rendered services to the planning movement of a value that cannot be over-estimated.

Since his retirement in 1960 he stayed with me twice during his visits to Britain, and on the first occasion he resided for 12 months in the village of Stoke-in-Teignhead, near Torquay, where with his lively interest in everyone and everything, he made a large number of friends over here.

Charles Putt, with his simple Christian Philosophy, uprightness, and unflinching courtesy, was a gentleman in the true sense of the word, and he will be missed by a wide range of people."

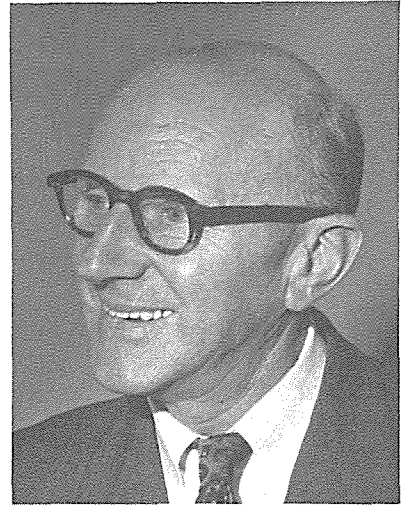


PHOTO : AUCKLAND STAR



Palmerston North Seminar

1975

The papers, the conclusions of the workshop group discussion and a commentary on the seminar, "Planning and the Computer", are now available from the Secretary, P.O.Box 5131, Wellington. Price: \$5.

needed for construction of the town, and in Australia, Canberra is the obvious example.

It is much more difficult, however, to justify what the Americans and Canadians call "land banking". This involves the public acquisition of land around existing urban areas to provide space for their future growth.

Dr Neutze described several advantages of public land acquisition. The first has to do with the implementation and quality of urban plans. If the land is owned by the public at the time decisions are made about the allocation of development rights to particular sites, and about the precise siting of the major public services, market pressures from individual landowners would largely disappear. Other pressures exist, however, because planners are forced to consider whether the costs of each aspect of their plans would be reflected in the value placed on the developed property by its users. These pressures are desirable because they force the trade-off between environmental quality and profitability of the development to be made within the government authority.

The second advantage is the control which can be exerted over land use and redevelopment. This is not too significant, however, as it is not much easier to redevelop property when the sites are leased from a public authority lessor (though it should be less expensive) than freehold property.

Land price stabilisation is a third advantage. Public acquisition might be expected to reduce the price of development land because of public authority's holding costs are lower and, if the public acquisition programme is sufficiently large, it can increase the supply of land available for development and hence exert a downward pressure on its price. There is little agreement, however, on how much land needs to be bought by public authorities in order to affect the market price.

Dr Neutze returned to an old theme by mentioning as a fourth advantage the collection of betterment. There would be no betterment to collect if land prices were stabilised completely but any betterment which is collected could be used for public purposes.

Most of the criticisms of proposals for public land acquisition for general urban development relate to their feasibility rather than their desirability. Sceptics argue that a public authority could not be as efficient or achieve its objectives as readily as private enterprise. Also they doubt that a public land acquisition authority could be established quickly and point to the Swedes and Dutch who have built up their systems over decades.

Whereas competition limits the prices and products of private firms, public authority land developers would have no comparable restraints. The public authority can choose whether to "cream off" all the profitable development, or to use the land for public reserves and facilities.

For public land acquisition to be effective, Dr Neutze suggested there would need to be more

corporate or at least co-ordinate planning of land acquisition, and development, provision of urban services, and marketing.

One criticism of public land acquisition is that the extra demand will push land prices up. There is obviously a need to accompany public acquisition with land price stabilisation legislation.

Dr Neutze outlined some of the alternative means of achieving the objectives of public acquisition. Donald Hagman of U.C.C.A. Law School has suggested that landowners should be compensated when public decisions including planning decisions, reduce the value of their land. This would be financed in large part from a charge on landowners who benefit from public decisions. However, compensation would exceed revenue from betterment because if all the betterment is collected private landowners will have no incentive to develop.

Price control by itself appears to have little virtue as a means of stabilisation of land prices, but some people have recommended taxes. Capital gains taxes are now in force in most western countries. This can increase the proportion of betterment which accrues to the public and discourages the speculative holding of urban land. However, Dr Neutze observed that they catch only on realised gains at the time of sale. Betterment taxes are rare because it is difficult to estimate the increase in value which is due to the assignment of development rights. Another reason is that landowners have often responded by delaying development, thus reducing the supply. The tax is often passed on in any case.

Land value taxes, or rates on unimproved value, are generally believed to encourage development. However, Dr Neutze said that when they are introduced they impose a liquidity squeeze on landowners and in the long run neither encourage nor discourage development.

Land holding taxes are levied on the value of land for which development approval has been given but which remains vacant. Usually a period of grace is given, however, and developers merely delay seeking development approval. As the rate of tax increases with the value of holdings it discourages the assembly of large sites.

Australian experience with public land acquisition suggests that, given public ownership, it is possible for a public authority to plan and develop a city which is pleasant and efficient. It is apparent also that a Land Commission of the type established in South Australia can become increasingly independent of the need for new borrowing. Neither has there been the need (in Albury — Wodonga at least) for large scale resumption of land (i.e. compulsory purchase).

Dr Neutze's paper provided a fitting climax to the plenary sessions. Because of its thorough examination of the question, it provided food for thought rather than fuel for argument although it will no doubt be referred to by both sides in the continuing debate on the subject.



Mr W.T. William's paper **Local Authority Planner's Roles in District and Community Councils** would have been of particular benefit to younger planners or to those "one-man department" planners who have no professional colleagues to confer with. Older, more seasoned campaigners could have done well to compare their own performance against the criteria set by Williams.

Communications was seen as an important factor in the relationship between planners and council. Planners should know the facts of a case or find out what they are before offering opinion. In reporting to council the planner should place emphasis on the more important issues and should make recommendations so that council knows where it stands with its planning officer on most issues.

Planning officers should provide all the relevant information in hearings under Section 28C, 30B, 29, 35, 38 and 38A of the Town and Country Planning Act but reports should contain only simple explanations of data which will not confuse the objectors. Both the merits and demerits of the case need to be stated as free as possible from the officer's personal views. The planner should have no axe to grind.

In favour of officers making recommendations is the claim that it is important to show that the argument has been reasoned to a conclusion, so that the applicant and the council are aware of the planning officers attitude, and so as to provide positive guidance for council. As against this it could be argued that new information might become available after the officer makes his recommendation, that Councillors are the real decision-makers and should be left to make up their own minds, that it saves embarrassment if an officer disagrees with council, and that officers may have a vested interest in their district scheme and may uphold its principles in a biased way.

Williams, however, concludes that officers should make recommendations.

It is logical that the planner assists in the drafting of the decision of council on any application. Decisions are seldom yes or no answers. Reasons and qualifications must be given.

Williams also discussed the role of the planner at appeal hearings. He said that the issue is one of ethics and morals. The technical man is on oath and has a legal as well as a moral obligation to be truthful. Williams suggested that the written evidence need not mention matters where the planner is at variance with his council. Under cross examination, however, he must be honest and the variance may be exposed.

Williams then turned to the Local Government

Act and found that the purpose and objective of district community councils and community councils are not well defined. Nor is it clear how planning will fit into the new local body structure. The allocation of planning staff resources may be potentially a point of conflict between district and district community councils.

Williams concluded with comment about the desirability of corporate planning within local government. It is not possible he claimed to amalgamate all the professions which should have involvement in planning into one department. Successful corporate planning does require, however, that the planning division is recognised as a co-ordinating agency. It also requires that planners educate the wide range of professions involved in local body work as to their role in the total planning process.

Professor I. Boileau continued the regional theme in a paper entitled **The Role of Regional Planning Authorities in Formulating Policy** and provided a link between the papers of Williamson and Town. His paper discussed the related concepts of regionalism, regional planning and regional development. Professor Boileau pointed out the historical precedent in New Zealand for regional government (the provincial governments of 1852-76) but admitted the slow progress of regional planning since then. Although there has never been a thorough and systematic evaluation of the operations of the regional planning authorities constituted under the Town and Country Planning Act 1953, the lessons are clear. These are that regional planning authorities must be constituted independently of the territorial local authorities in their areas and that the principal source of finance for regional planning should not be in the form of levies upon local authorities.

The justification for regional planning by independently constituted regional planning authorities lies in the indisputable fact that local territorial authorities are unable to solve their environmental problems within their own parochial and arbitrary administrative boundaries.

As Professor Boileau pointed out, the Local Government Act 1974 provides the means for the establishment of a comprehensive system of regional bodies. The corollary of a new system of regional administration is a new system of regional planning. Legislation to provide this is still awaited.

The concept of regional development has been bandied about for some time and was finally taken up by the Labour Party which (Professor Boileau suggested) saw in it a source of strength for their election campaign. Consequently a series of Regional Development Councils were set up in 1973 in order to involve local people in regional development.

Professor Boileau commented that Central Government policy in matters concerning regional development has found expression in isolated projects of an "ad hoc" nature. Mr Tizard's remarks at the beginning of the seminar supported this.

Like other speakers Professor Boileau was con-

cerned about the compatibility of the objectives of regional councils (as proposed in the Local Government Act) and Regional Development Councils. This was a concern which was shared by most of the workshop groups.

In concluding, Professor Boileau observed that Central Government has given no indication of its willingness to delegate any of its powers and functions to regional government, so that no new regional government can expect a role wider than that presently enjoyed by the Auckland Regional Authority.

Perhaps inevitably the Auckland Regional Authority came in for close scrutiny during the seminar and nowhere was this more apparent than in Dr Bush's paper **Regional Government: Its History, Politics, Accomplishments and Potential**. Dr Bush found it ironic that one outcome of the ingrained New Zealand antipathy to even stunted regionalism has been the Local Government Act 1974. The establishment of the ARA he claimed, can be explained in terms of the advanced state of disease of local body fragmentation in Auckland rather than any real desire by Aucklanders for regional government. New Zealand regionalism's future is probably tied tightly to the state of our local government system.

Dr Bush commented on the present system of representation on the ARA and criticised the fact that local authorities are encouraged to consider the ARA members elected in their area as being their personal representatives. This is compounded by the fact that many ARA members are also councillors of territorial local authorities. All this is to change, however, under the 1974 Act when membership of regional councils shall be determined by the basis of the relative populations of the various electoral subdivisions.

Dr Bush found the interplay of regional politics hard to monitor. Town versus country was intruded only sporadically, nor can politics be conveniently analysed in partisan terms. Alignments and factions, if they exist, operate in relative concealment. Possibly there is a change of emphasis occurring. A more liberal outlook is taking root together with a regional loyalty; a loyalty which will increasingly provide the ground rules for politicking.

The financing of regional activities has been a steadily worsening headache. The saga of levying versus direct rating is unending and the abuse the ARA has received over its levies partly explains its unavailing search for alternative sources of revenue. It is the unsought functions like transport, drainage, and refuse disposal which Dr Bush described as a heavy and unending drain on finance.

Dr Bush believed that regional policies have not necessarily flowed out of a perception of regional needs. He made the point that the ARA was arbitrarily assigned certain responsibilities in 1963, that these functions were transferred from other authorities, and implies that expediency triumphed over reason. In Dr Bush's view the overall achievement of the ARA has been modest. The most spectacular advances he saw are in planning and re-

serves.

The 1974 Act, although it does not impose a system of local government on New Zealand but only stipulates how such shall be constructed, is truly a charter for regional government. Given adequate government support it may even come to be accepted by territorial local government as a welcome substitute for wholesale amalgamations.

In a sense Mr K.A. Ackley's paper on **Criteria for the Formation of Regions: Technical Aspects** had the effect of dragging the seminar back to earth. It is one thing to dream about regional systems, powers, functions, job opportunities, but another to consider seriously just how regions should be defined in the first place. Ackley's paper was a thorough, logical, and academic statement of the criteria which should be considered in delineating regions. He claimed no detailed knowledge of New Zealand and it was not his purpose to suggest a New Zealand regional delineation.

The criteria suggested by Ackley were as follows:—

- (1) Jurisdictional constraints (new inter local groupings have a better chance to succeed if no violation is done to traditional smaller scale arrangements).
- (2) Flexibility (a watershed may be irrelevant to regional air transport planning. This suggests that flexibility is in order to permit region designation for specific purposes).
- (3) Areal coverage (size — must be related to function; shape — to be determined in the absence of political gerrymandering; orientation — whether homogeneity or nodality is the main regional characteristic; cohesion — economic, communality of goals and objectives, the idea that regionalism is not sectionalism).

Besides these criteria of delineation there are criteria which establish the purposes and functions of regional planning. In this respect Ackley noted three basic technical needs:—

- (1) Criteria for guidance in selecting the appropriate areas of study, and a statistical basis for analysis and comparison with other regions and even more so for relating to national policy.
- (2) Recognition that regional planning can be advanced in different contexts and for different purposes, as already noted, only so long as principles of co-ordination are well developed.
- (3) A concept which acknowledges the importance of the role of the habitants of the region. This leads to a consideration of citizen participation.

To the extent that regional goals and aspirations have been formulated at the grass roots level, it is less likely that the region will be subjected to what appear to be the vagaries of central government decisions and unco-ordinated local decisions.

Ackley concluded that whatever the nature and structure of a regional planning organisation it must be continually striving for comprehensiveness and searching for new inputs of information, content, innovative techniques and methodology.



INSTITUTE AFFAIRS

Recent Movements

F.G.J. Bergman, B Arch, Dip TP, ANZIA, ARIBA, AMTPI, (M), from Town and Country Planning Division, Ministry of Works, to Chief Planner, Housing Corporation, Wellington.

R.G. Bookman, BA, from Auckland City Council to Jasmad, Consulting Planners, Auckland.

M. Douglass, MSc, BE, Dip TP, MNZIE, MIHE, (M), from Deputy Director, Christchurch Regional Planning Authority to Gabites, Alington and Edmondson, Consulting Planners, Wellington.

E.D. Fraser, MA, Dip Arts, Dip TP, (M), from Planning Officer to Assistant Director (Regional Planning) Town and Country Planning Division, Ministry of Works, Wellington.

W.J. Willis, Dip TP, (M), from Auckland City Council to Planning Officer Auckland Regional Authority.

MEMBERSHIP

The following were recently elected to membership:

D.R. Anderson, B Arch, Dip TP, ANZIA

K.W. Berman, LLB, Dip TP

D.A. Bryce, B Surv, Dip TP, MNZIS

R.M. Dodd, M Arch, Dip Urb Val, Dip TP

R.H.J. Eagles, Dip TP, ARIBA

K.P. East, Dip TP, MNZIS

T.W. Fookes, MA, Dip TP, Cert Ekist

T.A. Gee, Dip TP, MNZIS

K.R. Harris, MA, Dip TP (Hons)

R.O. Miller, BA (Hons), MSc

G.W. Satchell, Dip TP, MNZIS

R.L. Streatfield, MSc, Dip TP, MIS (Aust)

B.W. Thompson, BA, MTCP

D.A. Wall, Dip Urb Val, Dip TP

W.J. Willis, Dip TP

New Student Members

C.J. Aherne, B Surv, MNZIS

L.A. Auton, MA (Hons)

R.G. Brikshaw, BA (Urb Plan), BA (Envt Studies)

R.C.N. Chan, Dip Urb Val

C.E. Crampton, BA

C.J. Diprose, MA (Hons)

P.H. Healy, BA

P.J. Killalea, BA

D.J. Mcpherson, BA

J.S. Pattison, MA

G.C. Pettersson, BA (Hons), Dip Teach

S.D. Plesovs, BA, Dip TP

G.T. Reed, Dip Arch

R.J. Rowe, MNZIS

J.D. Sholl, BA

A.P. Sokolik, BA, M Reg Plan, AMAIP

J.W. Taylor, B Envt Studies (Hons)

A.J. Tilling, BA (Hons), MTCP, Dip Market Research

Resignations

The following have resigned from Student Membership of the Institute:

D.C. Airey

J.D. Gunnell

L.E. Laycock

L.J. Priest

ELECTION OF OFFICERS

The following were recently elected to the Council of the Institute for the year 1975-76:

President

F.W. Norton

Vice-President

R.J.P. Davies

Honorary Secretary

F.G.J. Bergman

Honorary Treasurer

M.E. Jones

Councillors

D.A.C. Dodds

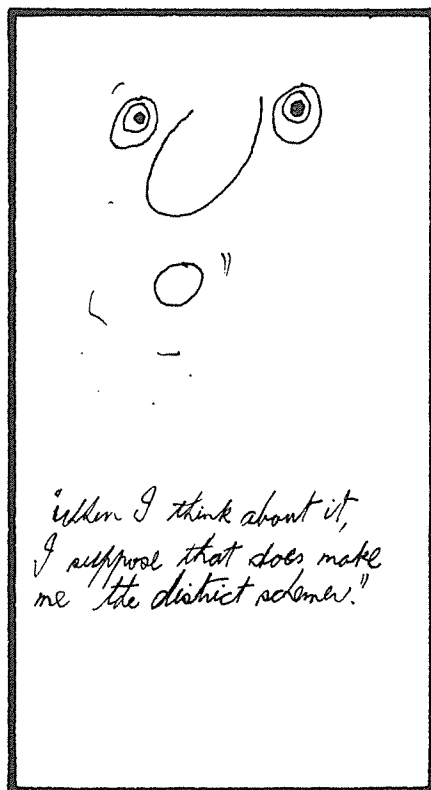
O.A. Evans

D.R. Hall

M.E. Jones

K. Nairn

W.T. Williams

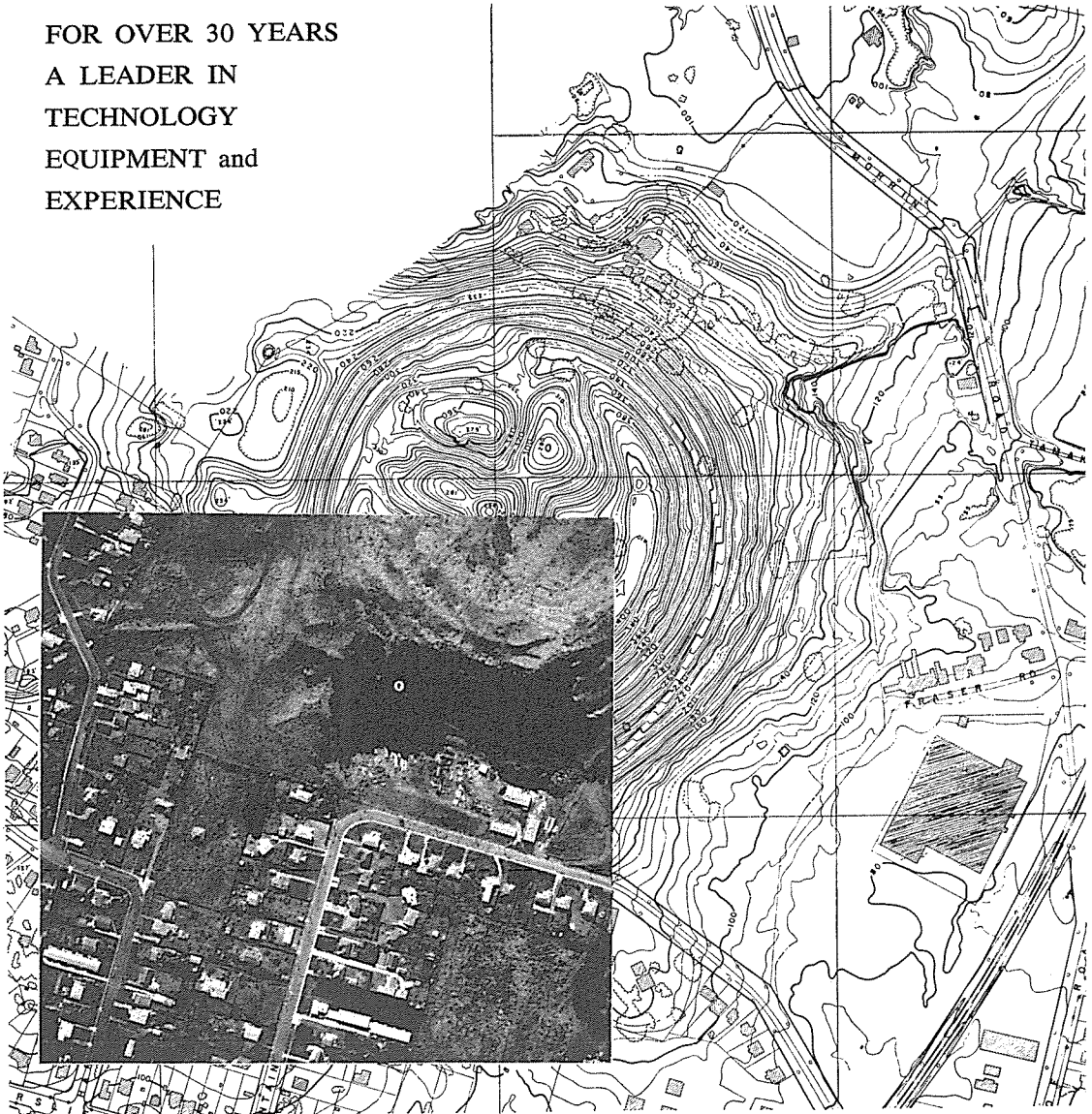


SITUATIONS VACANT SERVICE

The Council of the Institute recently determined that the fee for the above service to members shall be increased by \$15 from \$45 to \$60.

(Refer to TPQ 39, March 1975, for fuller details of this service).

FOR OVER 30 YEARS
A LEADER IN
TECHNOLOGY
EQUIPMENT and
EXPERIENCE



If an Aerial Survey can help you — we can:
— from the lowest, to the highest of
first order specification

N.Z. AERIAL MAPPING LTD.
CR. AVENUE RD. & WARREN ST.
Hastings



P.O. BOX 6 PHONE 67109 (4 Lines)
TELEGRAMS — "AIRMAPPING HASTINGS"



CARL ZEISS
JENA

REDUCING TELEMETER "BRT 006"

An updated "Teletop" with automatic reduction of inclined distances. For efficiency of measurement when surveying with polar coordinates.

Specially recommended for surveys in built-up areas subject to heavy traffic or physical obstructions restricting placement of targets.

Meets a long-felt need in town surveying, civil engineering, and in architecture.

**CARL ZEISS JENA – Box 10-240 – Tel: 46-437
WELLINGTON**