

Culture and Capability within the New Zealand Planning System

A Report for the Productivity Commission

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Contents

Introduction	1
1. The evolution of planning	2
2. Planning theory, professionalism and culture	5
3. The professional culture of planners and planning organisations.....	9
4. Whether the key forces shaping the professional culture of planners are conducive to achieving good outcomes from the planning system	16
5. Impact of friction (if any) between the culture of planners and other professions within the planning system	23
6. The type of culture that is conducive to "good planning outcomes"	27
7. The purpose of planning in an urban planning system.....	30
8. Skills and attributes necessary for modern planning.....	30
9. Indicators/measures of planning capability in New Zealand.....	32
10. Capability gaps and issues within the New Zealand planning system	33
11. Emerging issues of planning methods.....	35
12. Measures and initiatives that could fill the capability gaps.....	36
Conclusion	38
References	39

Introduction

This report is organised into three parts. Part I looks at some theoretical material and historical knowledge that creates a broadly based context as a precursor to the more specific questions posed in Part II and Part III of the report.

Part II offers a high-level description of the professional culture of planners and planning organisations. It discusses whether the key forces shaping the professional culture of planners are conducive to achieving good outcomes from the planning system. It asks whether any friction is evident between the culture of planners and other professions and, if so, the impact of that friction. Finally, Part II explains the type of culture that is conducive to “good planning outcomes”.

Part III discusses the role of planners in the urban planning system, and the skills and attributes needed for modern planning. It details the indicators/measures of planning capability in New Zealand. It identifies the capability gaps and issues within the New Zealand planning system, and looks at emerging issues in planning methods. Finally, Part III highlights measures and initiatives that could fill the capability gaps.

The material in Part II and Part III is intended to widen the readers’ understanding of the more specific answers to culture and capability within the New Zealand planning system to try to see the New Zealand experience through a wider lens by drawing on that of Britain and Australia. The focus on these two countries is deliberate. New Zealand was a colony and, as such, until later in the 20th century quite deliberately modelled its actions and institutions on British equivalents. Australia, our nearest neighbour, provides a contrast, as it has a federal system which makes such direct modelling more difficult.

Part I

1. The evolution of planning

- 1.1. Before moving on to address the specific questions on culture and capability in planning in New Zealand, it is useful to briefly traverse the development of planning and some aspects of professionalism. From my long association with planning history, I believe the past is a backdrop to the present. It can often explain how and why issues have developed, and from what planners derive their present-day attitudes, beliefs and worldviews. Those attitudes, beliefs and worldviews in turn are at the heart of the 'norms, values and beliefs' that this study seeks to elucidate.
- 1.2. A key starting point for any review of planning's development is the definition(s) of what planning is, what it is trying to achieve, what agencies it employs, and the structures within which plans are formulated and implemented. Planning has no standard definition to which all planners, regardless of place or institutional location, would subscribe. This is because planning has always been culturally defined, reflecting and shaped by the concerns of a particular time and place. At the core of the plethora of definitions of planning is the relatively simple concept that planners are trying to make any place an easier and more fulfilling place in which to live; something we would today summarise as making them more liveable. Planning is also future oriented, and it is this (at its foundations at the start of the 20th century) that allowed it to carve out an area (in an urban context) to which it could lay claim. The Industrial Revolution had transformed the British economy, created a middle class and established an enduring capitalist society. But it had done so at the cost of making large urban areas fraught places in which to live. Disease was not selective in who and what it killed.
- 1.3. In this situation, the town planning that the town used to signal its urban origins, concerns and solutions was seen as a logical response to addressing those urban ills in a comprehensive manner. Planning's future orientation also offered a solution for today and tomorrow's urban problems. It was a response that was grounded in the practical. Howard's garden cities and more common garden suburbs, and the town planning texts of Abercrombie and others, offered practical solutions to then current problems. They also held out the potential of ensuring that these issues never re-emerged.
- 1.4. Town planning also had the imprimatur (formal support and approval) of 'doing good'; a practical version of the proposals of the visionaries and reformers who formed the core of the new profession. Town planning offered order and certainty. Future urban areas would be more liveable and its residents physically and morally better people. All that was required to make this work was a 'simple' modification of private property rights. The individual property owner's rights would be constrained in the interest of achieving more for the community as a whole, which would in turn make those property rights more valuable. Town planning operated as a sort of mediator, ensuring that this 'greater good' was achieved for the community and that the surrender of some private property rights was enforced to ensure no single holder of property rights gained an unfair advantage.

This basic trade-off between private property rights and the wider community good lies at the heart of all definitions of planning. For decades this trade-off worked because town planning, it was quickly realised, also delivered the property owner a basic certainty and a bundle of exploitable rights. The certainty town planning provided ensured each landowner was clear about what they could use their land for and, most importantly, what their neighbour could use their own land for. Town planning could also offer new or enhanced property rights and development opportunities that increased the value of land. This is why most planning systems allow for the recovery of some of that increased land value through planning gain /betterment systems.

- 1.5. The use of land in this discussion is very deliberate. Current definitions of planning, particularly in New Zealand, try to be all encompassing, including other resources as well as land. In trying to subject all resources including land to a common system and processes, we have resorted to definitions that try to cover everything under a single umbrella. The result is that in New Zealand we have ended up with such broad a definition of planning that it ends up serving none of the many facets of planning very well. Some definitions are included in Appendix 1; these highlight the fact that the New Zealand Planning Institute (NZPI)'s definition of planning is both incredibly broad and almost completely process focused. It largely reflects the attempt through the Resource Management Act 1991 (RMA) to create a planning system with no implicit or explicit definition of planning. Instead the RMA inserts

sustainable management, which seems to be sustainable development shorn of its social and economic concerns and with an explicit injunction “to avoid, remedy or mitigate adverse effects on the environment” (RMA, section 5 (2)). The definitions of planning underpinning any planning system are vital as they expand or truncate the space in which planners are allowed to work. That in turn helps to form an operational worldview and the everyday norms of everyday planning practice. Gunder (2010) puts this in more complex terms when he talks of New Zealand planning having “a fundamental disciplinary concern for noncommoditized human and ecological values, where its practitioners at least have been trained to act as advocates of the public interest” (p. 191). The New Zealand planning system is based on an implicit definition which does not have people at its centre. This is unusual, as the other definitions of planning in Appendix 1 demonstrate.

- 1.6 Internationally, planning’s history is largely urban until the mid-20th century. Then the issue of urban renewal and urban growth, particularly of London began to be seriously addressed. This brought to a head the increasing concern with the loss of the countryside and accessible open space (or, in New Zealand terms, rural areas and the conservation estate). As Greed (2013) notes, planning in Britain after the Second World War, and to a lesser degree in New Zealand, became a “major arm of government” (p. 94). Planning for urban growth moved from being low-key, relatively modest and focused at the local authority level, to the government creating ‘perfectly planned’ New Towns and exerting greater control over the already developed urban fabric. The scale and conception of the New Towns moved town planning into a new league where planners became the technical experts imbued with the knowledge and skills to achieve superior living environments. In this conception the planner can produce new orderly urban areas and as urban redevelopment occurs, bring similar order to areas developed before town planning emerged.

In New Zealand the Town-planning Act 1926 had instituted a modest urban planning system for urban areas with populations of more than 2 000 people. The production of town plans had been slow due to a lack of town planning practitioners and local authority unwillingness to take on a new and potentially expensive responsibility. Central government never compelled local authorities to produce these plans, so by the end of the Act’s life it was surprising that the Town Planning Board had approved any town plans. Town planning was, until 1946, the responsibility of Department of Internal Affairs – at the time one of the most powerful government departments. In that year responsibility moved to the Ministry of Works (MoW, later MoW Department (MoWD)), which created the Town and Country Planning Directorate (TCPD).

The MoW was a powerful department after the Second World War in New Zealand, developing everything from hydro-electric dams to the state highway system. Locating the town planning function in a department focused on the large-scale transformation of the country was questionable given that the ministry became jokingly known in its later years as the Ministry of Waste and Destruction. However, the TCPD actively recruited town planning staff from Britain and became a major employer of graduate planners. In my generation I am rare in not ever having worked for the TCPD. The TCPD represented the interest of the Crown and all government departments in local planning issues, and they were major objectors to both district schemes and planning applications. They also represented aspects of what might be called ‘the public interest’, which were taken as far as appeals to the Town and Country Planning Appeal Board (and its successor Planning Tribunal). The TCPD was, however, inherently a conservative planning organisation that was often slow to adopt new planning ideas or approaches.

- 1.7 By the 1960s this planning paradigm dominated by the technical had been formalised into Brian McLoughlin’s system’s approach to planning. It was still being taught as part of planning theory in New Zealand in the early 1980s when I was a student. In that system, urban areas were giant systems that could be modelled and mapped through technology, often using early computer databases. Probably the closest equivalent is the econometric modelling undertaken in the 1970s and 1980s, including the Reserve Bank’s modelling of the New Zealand economy. It is perhaps the reason for the mania that many planning departments had at the time to collect information (eg, on land use) without necessarily having a clear idea of how that data might be used. The system’s view of planning was information hungry and completely quantitatively based. As Greed (2013) notes, the city was seen as being made up of interlinked parts, with the planner controlling and guiding it (p. 95). The planner was a manipulator of data at distance from the people they purported to serve. McLoughlin’s system’s approach was found wanting, particularly as it seemed to exclude the social and community concerns that now dominate some aspects of planning practice. Instead the needs of cars were well served, and planning for urban development was based on ‘scientific models’ such as the Retail Gravity Model that predicted shopping demand. By the late 1960s and 1970s in Britain it was becoming clear that

planners as technical experts had failed in a spectacular manner. Housing estates, dominated by the now infamous tower blocks, were part of new, greater and more complex social problems, while the Cumbernauld New Town won 'Britain's Worst Town' award in December 2005.¹

- 1.8 New Zealand planning never went down the path of planner as technical expert in quite the same manner. In this country, people were concerned about the expansion of cities after the Second World War and the increasing 'decadence' of central-city areas. While some people suggested that cities like Auckland and Wellington should go up rather than out, the driver of that concern was the preservation of productive land that reflected our self-imposed role in feeding an increasingly hungry world. This was a very New Zealand twist on planning and reflected the dominance of farming on our economy and national consciousness. The result was the Town and Country Planning Acts (TCPAs) of 1953 and 1977. These two Acts created the framework for planning in this country, dominated by Matters of National Importance (MNI) – a framework that still exists in the RMA. The TCPAs established the MNI, which were then reflected into the district schemes that local authorities were now required to prepare. In the TCPAs these MNI focused on preserving land of:

"high actual and potential value for the production of food, avoiding urban sprawl, preserving amenities, and heritage sites, recognising the relationship of Māori with land other sites and preserving the natural character of and access to the coast, lakes and rivers.

The RMA's MNI, while abandoning the productive land and urban sprawl issues and adding some environmentally focused matters, included many of the other MNI basically unchanged. The value of these MNIs in identifying the core concerns of planning in New Zealand has largely been overlooked. What they demonstrate is that for almost 50 years we have consistently identified a group of matters that the community, through legislation, expects planners to, in effect, defend and preserve.

- 1.9 The TCPAs also created some administrative structures and precepts for planning. The lack of town planners and the need for consistency in producing plans resulted in the Town and Country Planning Regulations of 1954. These essentially provided a template that a council could follow and they were widely used. The 1977 TCPA had no such regulations, as New Zealand now had sufficient planners to do any plan writing. Plans were created at the local level, used zones to separate incompatible activities and provide for differing development standards, and adopted a permissive approach to planning. The development standards were prescriptive, but those for residential areas were based on specific New Zealand based standards.² How land was used would be determined through a hierarchy of controls with predominant uses allowing development without any planning intervention if the prescribed planning standards could be met. Houses in a residential zone, for instance, were universally provided for as predominant uses and were subject to no more than a planning check to confirm they met the required development standards. Developments that could not meet these standards or might generate a variety of outcomes were subject to planning intervention. That intervention also allowed affected parties (those affected greater than the public at large) to have their views heard, and gave them appeal rights through to appeals to the High Court. Few overseas planning systems allow for this type of third-party appeal rights or an independent planning judiciary like that in New Zealand. This system of both controls and appeal created a generally facilitatory and permissive planning system when compared with overseas models.
- 1.10 The perceived failure of planning probably did more in Britain, Europe and America to undermine the idea that planners were not the 'experts' they claimed to be. This coincided with the arrival of Neoliberalism in the form of Thatcherism in Britain, Reaganism in the United States and Rogernomics in New Zealand. Planning would now be market-led and market-orientated. In New Zealand the restructuring of the economy was followed by the restructuring of local government and the creation of the RMA. Globally, planning's role was to facilitate the operation of the market and was tolerated only where it addressed market failure. In the newly restructured local government, planning was about assisting developers to achieve their outcomes as quickly and cheaply as possible. Against this backdrop it is surprising that environmentalism and sustainable development emerged to shape the planning system. Environmentalism and green issues became what Greed (2013) calls "the new 'gospel of redemption', for planners" (p. 97). In New Zealand this 'gospel' fitted with our nature-based, "clean green" image of ourselves. In proposing the new legislation Geoffrey Palmer was making a bold attempt to try to legislate for sustainability. But in a Neoliberal economy, sustainable

¹ The entire Town Centre won a public nomination for demolition in the UK Channel 4 series *Demolition, Demolition*, where it was voted "the worst building in Britain".

² These standards were developed in the 1930s and 40s based on work undertaken in New Zealand by the predecessor to the DSIR and the Standards staff at the behest of the Director of Town Planning, John Mawson.

development was too big a step. In the end, the RMA was based instead on a truncated version called 'sustainable management'.

- 1.11 Many studies of the issue emerged from this bold experiment. However, three observations about the RMA help to elucidate what aspects of the legislation's implementation have helped to shape the responses of planners.
- First, the RMA was based on two irreconcilable aims. It was sold to the public and the development community as protecting and safeguarding the environment while making the planning system cheaper, faster, and more developer responsive. Given the former required the institution of environmentally based regulations such as an Assessment of Environmental Effects (AEE), it was inevitable that the planning processes would be longer, more complex and more expensive.
 - Second, the RMA extended the third-party participation and appeal rights by opening RMA processes to everyone, essentially to allow environmental and other groups to be involved. Doing so invited more participants into planning processes. But again, it was not a recipe for speeding up the planning system.
 - Third, the RMA was formulated by a tight team that included no experienced planning practitioner and was dominated by lawyers. The realities of day-to-day planning practice were little understood. As a result, many of the RMA's processes proved to be woefully impractical and the cause of many amendments to the Act.

The response of practitioners faced with implementing the Act is summed up by Bob Nixon (1998), an experienced Christchurch practitioner, who said it had as a founding ideal of "I came, I saw and I made the world a better place" and was "legislation which was designed to impress visiting parliamentarians from Sweden" (p. 2). That original legislation has now been amended so much that amendment lies on top of amendment and the Act now lacks any real internal coherence. The RMA now looks like a patchwork quilt produced by beginners and overseen by a dysfunctional committee.

- 1.12 Finally, planning in New Zealand and elsewhere has, as Rittel and Webber (1974) identified, always been a wicked problem. As Batty (2014) has noted, the 'wicked' does not refer to evil but rather signals that are "hard to define, or, rather they defy definition and clarity as soon as one begins to explore them" (p. 32). Those signals are unbounded and, just as solutions seem possible or are put in place, the problems mutate to form new problems. While this construct of the problems that planning deals with is rather gloomy, it is a construct that has found currency throughout the world and remained in use for more than three decades. Planning problems are 'wicked' because they deal with such a fundamental part of our world — to use that overused tag — where we work, live and play.

2. Planning theory, professionalism and culture

Planning is unusual in having only quite recently developed theoretical underpinnings. The reformist origins of planning led planning to style itself as a profession and to concentrate on formulating applied knowledge about how best to implement town planning. The benefits planning offered were assumed to be self-evident and transmitted through propaganda rather than theory. Even Patrick Geddes, a polymath and foundation theoretician of several disciplines including sociology, in the case of town planning offered practice-focused knowledge. Town planners took up his advice on how to plan well, the famous survey before diagnosis, rather than his wider ideas.

- 2.1 This led the late Sir Peter Hall to distinguish two types of planning theory:

- theory in planning; and
- the theory of planning.

This division was supported by a range of other planning theorists, including Faludi. Theory in planning was "the practical techniques and methodologies that planners always needed even if they once picked

them up on the job” (Hall, 1996, p. 10). These were the applied theories that abounded in town planning texts and were the basis of achieving professional membership through the professional exams of the Royal Town Planning Institute (RTPI). The theory of planning was “planners try(ing) to understand the very nature of the activity they practice, including the reasons for its existence” (Hall, 1996, p. 10).

- 2.2 It is this critical theory that planners still find the most difficult to engage with. As a planning professional and educator I have spent many frustrating hours trying to provoke students and fellow practitioners, often by playing devil’s advocate role, to engage in critiquing the role of plans and planners. Some are uncomfortable or unwilling to engage in this type of discussion. Some retreat to presenting planning as a product of statute and a process (ie, they undertake planning because the RMA and its predecessors provided for it). In essence, they are like the original town planners in that they appear to believe that the need for, and value of, planning is self-evident. At times, New Zealand planners have tried to create a debate around fundamental questions such as what planning is, as in the EXPLAN project launched by the NZPI in 1980. While that project asked some key questions about the foundations of planning and why they were needed, the project failed to spark any debate from practitioners. Like subsequent attempts at such debates, it was quietly disregarded. Many planners view planning theory as a hurdle that must be crossed as part of the process of gaining a planning qualification. They do not view planning theory as an integral part of developing an understanding of both the unique space that planning occupies and planning’s disciplinary grounding.
- 2.3 Planning developed a more extensive theoretical base in the 1950s as planning education became more formalised and university-based. Planning theory continued to be dominated by theories in planning rather than theories of planning.

The communicative or collaborative planning paradigms pioneered by Patsy Healey and others now dominate planning theory. These paradigms are grounded in planning practice, with the planning process democratised through the inclusion of community voices and the planner’s role reduced to that of mediator/facilitator. There is a complete blinding of the potential for those democratised processes being “co-opted by powerful interests” (Fox-Rogers & Murphy, 2016). This pre-occupation with theories in planning obscures the need to re-evaluate why planning is still relevant, which is the basis of any claim to a unique disciplinary knowledge that is a cornerstone of any profession.

While planning academics in particular indulge in “periodic soul-searching for disciplinary identity” (Davoudi & Pendlebury, 2010, p. 613), most planners are just as reluctant to be involved in such discussions as they were in the EXPLAN project of the 1980s. This is well illustrated when NZPI discarded the essay part of its full membership application. Until the mid-1990s an applicant for full membership had to produce an essay on the origins and role of planning, which was discussed at their interview. The essay became so strongly disliked that it was seen as a barrier to taking up full membership.

- 2.4 Planning education was also changing because by the 1960s planning schools were no longer exclusively driven by planning design. The first few planning courses were located in architecture schools. Planning was not seen as a singular profession until after the Second World War, with most practitioners already working as architects, surveyors or engineers. In this situation, planning becomes an add-on role, practised in the shadow of, and within, the culture of the primary profession. While planning as an add-on profession is less common now, this view has left its mark on the culture of New Zealand planning. It has also affected how planning interacts with other professions.

Planning is a relatively late profession, only coming into existence as a profession in Britain in 1913. The Town Planning Institute (TPI now RTPI) instituted an exam system for membership. The exam candidates were primarily architects, surveyors and civil engineers who had already been socialised into another profession. Gradually, short diploma courses developed – first at Liverpool University and then the University of London – to prepare students for that exam. Again, students had to already be qualified in another profession to gain entry to these courses. At the time New Zealand offer no educational courses to help planning students either pass this professional exam or gain a formal planning qualification.

The only options were for the student to go overseas to gain a qualification, to wait for a New Zealand based qualification to be established, or to try to pass the TPI exam with the help of those who had already passed it. The TPI exam pass rate unsurprisingly was very low. New Zealand got a town planning diploma course at Auckland University in 1957, established within the School of Architecture. Had the course been established a decade later, most likely it would have been located in a social science faculty. The Schuster Report into British planning education encouraged such a move to try to broaden

the base of planning by incorporating views from geography, sociology, economics and other disciplines, to better deal with the increasing complexity of urban problems. When new planning schools were established at Massey University in the 1970s and later at Otago, Lincoln and Waikato universities, they were all established within social science departments.

- 2.5 This study is concerned with planning's organisational culture, which the Commission in the project brief for this paper as "the norms, values and beliefs shared by staff working within a planning agency". Those norms, values and beliefs are derived from a range of sources that are now addressed in some detail. Often the presumption is that our history has no impact on our present concerns and practices. While this may be defensible, clear evidence shows that planning's past is shaping its present. Interestingly, several academic studies looking at aspects of planning culture all included a historical periodisation and discussion of how the past was a backdrop to, and influencer of, the current planning culture (see, for instance, Steele, 2007; Keller, Koch & Selle, 2010).

For planning to be a profession it has to demonstrate that it has a unique body of knowledge that it alone can lay claim to. The problem is that planning in New Zealand has been poor in identifying and claiming both a unique body of knowledge and a specific professional space that it exclusively occupies. It was not until 1975 that the profession gained a four-year undergraduate degree in the B. Town Planning (BTP) at the University of Auckland. Only then did planning no longer need to recruit its ranks from those who had been socialised into another profession. This process of socialisation and building professional identity and confidence is partly achieved by creating and communicating unchallenged stories of planners and planning achievements, usually drawn from history (Sandercock, 1998, p. 2).

The problem is that in New Zealand the profession is poor at identifying these heroic achievements for planning. In the past, planners either still identified with their first profession and later because the accomplishments of early planners went unrecorded. As an illustration, a full history of the NZPI was not published until 2007. It was only in about 2010 that the NZPI made the effort to commemorate some of its worthy past planners by naming its awards after them. As the only active planning historian in New Zealand, when I retire I expect it to be some time before anyone else takes any further interest in New Zealand's planning history. This patchy knowledge about the history of the planning culture in New Zealand means that planners at the start of their career have little to look back to, or relate to, that would reinforce their 'professional pride' and help them to develop a belief that what they do is part of a continuum of planning's achievements. This is reflected in a sort of insecurity that has always dogged the profession and has made planning an easy profession to undermine. The contrast with the confidence of the surveyors as a profession – a profession that regularly and consciously highlights its history and achievements – is glaring.

- 2.6 The planning profession has also been unable to consciously and consistently delineate and lay claim to a unique disciplinary knowledge to achieve those more liveable environments. Being able to do this is important, as it creates an intellectual legitimacy that is a key element of a profession's identity. Surveyors in particular have always believed they have the planning knowledge and skills that make them competent to undertake planning work. This is one reason why they were prominent in helping to formulate the Town-planning Act 1926. They worked, unsuccessfully in the end, to get responsibility for town planning transferred to the Department of Lands – the preserve of the surveyor.

Given that planning has never been a registered profession, the title of 'planner' has never been protected. Anyone can call themselves a planner, making it simple for surveyors and others to colonise planning. Internationally, planning seems to be prone to this sort of colonisation. Knudsen's (1998) study of the development of planning in Denmark revealed architects as the colonisers. He reflected that this occurred because "professionals continually strive to enlarge their job areas and appropriate as extensive a monopoly as possible" (1988, p. 298). When other professionals offer planning services without the training, knowledge and experience that planners have, this situation is often not disapproved of or even questioned. The planning profession has debated this frequently. The NZPI has tried to encourage local authority employers especially to only employ qualified planners, but with little success. This result emphasises that the planning profession has not convinced society that it has unique disciplinary knowledge – the cornerstone of any claim to being a profession.

All professions rely on their members being socialised into their profession. That socialisation is based on the profession's identity to provide members with a sort of professional belief system. That system is partly based on the achievements of the past, which brings confirmation of the worth of what the professional is doing. In planning, such socialisation is not always done or is done poorly. This lack of a strong professional belief system can lead practitioners to be over-critical about their work. The

persistent use of consultation in planning processes also means that planners are subject to regular, often highly critical, assessments of their work. The silent majority rarely raises their voice to support the planners' work. Consultation, from discussions with practitioners, is often viewed as the most stressful part of their work.

Consequently, the New Zealand profession has a rather weak professional identity, again undermining the belief of planners that they have something unique to offer to society. That weak identity also highlights that other professions hold the planning profession in low esteem. If a planner was to offer architectural or surveying services, I doubt this view would be the same. This situation leaves planning practitioners in New Zealand in a 'no-man's' land, where there seems to be little societal support for their work, and where others prey upon their work. While self-reflection is needed for good practice, in planning we seem to be more comfortable assuming planning is failing, rather than believing it ever has achieved anything positive. The lack of a strong professional profile founded on disciplinary knowledge and historical achievements leads planners to constantly fall back on legislation to define who they are as planners and what they do.

- 2.7 This situation also highlights the dilemma of what makes a profession a profession. The term 'professional' has become debased in recent decades. The term 'professional' is so widely used that it is fair to assume that it now only signals that the person is competent. This leads traditional professions to more closely guard their status and to publically demonstrate they have a code of ethics and professional standards. Older professions (such as medicine and law) exhibit these characteristics and regularly demonstrate them to the public through their disciplinary procedures. In turn, this ensures that the public recognises and respects them as professionals. Some of these older professions also benefit from having their professional structure recognised and protected by statute.

Planning struggled to be recognised as a profession. The RTPI, through its size and long life, seems to have achieved this. It is probably the strongest of the professional planning organisations, partly due to its long history but also because RTPI membership is more central to having a successful planning career in the British context. In Australia, the Planning Institute of Australia (PIA), with a membership of more than 5 000, seems to have more public recognition than its New Zealand equivalent. Yet in recent years, the PIA has widened its membership through the introduction of its chapter system. That chapter system brought in to the PIA fold a wide range of planners, including social and community planners. It also moved the focus of PIA away from a primary focus on land use and resource planning. In the United States, the American Planning Association is an umbrella organisation that includes a professional arm, the American Institute of Certified Planners, to represent its qualified planners.

Key messages

- Planning as a late profession has struggled to lay claim to a unique disciplinary knowledge and professional recognition.
- Planning started as an add-on to other professions such as surveying and architecture.
- As planning is not a registered profession, other professions often prey upon its work.
- Planning theory has been dominated by 'how to do planning' theory rather than theories of why we have planning.
- Planning often has a weak professional identity because it lacks a strong disciplinary foundation and knowledge and pride in its achievements.
- Planning as a profession in New Zealand tends to be defined by legislation.

Part II

3. The professional culture of planners and planning organisations

Part II offers a high-level description of the professional culture of planners and planning organisations. Any description of such should include a discussion of broad subcultures within the planning profession and why these have evolved.

- 3.1 As Greed (2013) suggests, the culture of planning is always at least partly derived from the national culture with planning having a “particular subculture, norms and ways of doing things” (p. 90). In the New Zealand context this connection to national culture is strengthened because of the New Zealand practitioners’ lack of a strong professional identity and what might be called a professional consciousness. This means that a planner defines themselves and what they do primarily through the work they do, which is defined legislatively. In New Zealand, that has meant planning is about regulating the use and management of land. Under both the TCPA 1953 and TCPA 1977, planning began to mature, and through professional discourses at NZPI conferences and the pages of the NZPI’s journal *Planning Quarterly* (formerly *Town Planning Quarterly*), the simple use and management of land was broadened to include the social and economic context within which this land regulation functioned. Such interventions might now be condemned as intruding into the market’s space. However, in an urban context this provided a more comprehensive planning approach that reflected social and economic concerns. For instance district schemes achieved more useable Central Business Districts (CBDs) by requiring continuous verandah cover along all shop frontages. That ensured that shoppers did not get wet while shopping. Today, that is more likely achieved through more complex and expensive design controls.
- 3.2 Such connections became more common because planning was predominantly practised in both central and local government contexts. Central government, through the TCPD, published a widely circulated magazine, *People and Planning*, and provided practice-based information to assist councils with their town planning work. Until the early 1990s, New Zealand had few consultants focused on large planning. The consultants who did practise often provided basic planning services to councils that could not afford planning staff. For instance, Gabites, Porter and Partners dominated consultancy planning in the lower North Island and parts of the South Island. The result was ‘cookie cutter’ district schemes of debateable quality, but which allowed these smaller (and usually financially strapped) councils to have some planning services.

During this time, the culture of planning was probably better understood by all the actors in the planning system. Local government offered a clear career pathway for a planner, who could perhaps work their way up from graduate planner to City Planner. Central and local government’s professional hierarchies in the early years saw planners struggle to get pay (and status) parity with engineers. The role of planner was gradually more accepted as interaction and joint work with professional groups (particularly engineers) increased. By the mid-1980s planners and engineers at the Palmerston North City Council and elsewhere achieved pay parity with engineers.

In this situation planners had an acknowledged status that is well illustrated by the way appeals before the Planning Tribunal were conducted. The lawyer would be there to make legal argument and to coordinate the expert witnesses, but the main expert and evaluative witness was always the planner. Other expert witnesses such as engineers and landscape architects were there to give supporting evidence. In the end, the planner’s evaluative evidence would be at the heart of the Tribunal’s decision making. The planner’s work was recognised by the politicians and reflected into the committee structures of local authorities.

Essentially, the idea that planners were ‘doing good’ for the communities they served underpinned the culture of planning. There were clear and well-understood norms in terms of what planners did and how they interacted with the political system and submitters. As a young planner, I was always clear that I was offering my best advice on an issue – advice underpinned by evidence evaluated using professional knowledge, skills and experience. Planning decisions lay in the hands of the politicians because that is what they were elected to do. The system involved a much smaller number of participants, all of whose roles were understood and acknowledged by every actor in the planning process.

- 3.3 The arrival of the RMA and the contemporaneous local government restructuring completely altered how planning functioned. In so doing, it speedily eroded the structures and culture of planning. The professional identity of New Zealand planners is derived from, and linked to, legislation that made the RMA's arrival – on the heels of local government restructuring – devastating. Together they brought new levels of governance, a new group of actors, and a new definition of planning and what it was expected to achieve. Local government restructuring saw the policy and implementation/regulatory arms of planning moved to different parts of the organisation, while the established career paths were effectively swept away. Senior practitioners realised that if they wished to continue practising as a planner, then they would have a very truncated career path. Their professional skills and knowledge were often significantly devalued. Instead, the only career path was through management role – most likely as a generic manager. The profession had always lost senior practitioners for unknown reasons, and these developments accelerated that loss. Practitioner acquaintances in restructured jobs and with few prospects began to plan to leave the profession, particularly when criticism of planners accelerated. The profession also turned on itself, as Malcom Douglass, a leading planner, noted (2007): “[M]any people who should have known better decided to lash out and denigrate land use planning...and the denigration was done as a tactic to justify the new legislation” (in Miller, 2007).

Planners often found themselves managed by generic managers who neither understood nor respected planners as professionals. I was in such a position in the early 1990s when I had to explain to one of these generic managers why what had been promised would not be possible. The response was that I was again being obstructionist and that I better find a way of delivering the required outcome. The idea that a planner was a professional with responsibilities beyond those prescribed by the organisation was inconceivable. In effect, that part of the planner's professional identity and culture, derived from their commitment and position as a professional, were unrecognised and undermined. The status of those under the new structures of local government was determined by the amount of money they controlled through contracts and the like. Planners controlled no funds; so were downgraded in the council hierarchy. This overlooked the fact that we all carried professional indemnity insurance for several million dollars, as that was the sort of damage a mistake on our part might cost the council. McDonald's thesis (2005) and Jay's (1999) work all highlight the destructive effects the RMA and restructuring had on the profession. New Zealand's planning culture has always been somewhat thin and poorly bedded, which made this undermining all the more powerful.

- 3.4 The purpose and focus of planning also changed. The RMA was based on the idea of sustainable management. The planner's often contradictory role was focused on avoiding, remedying and mitigating adverse effects on the environment and facilitating development. Under the RMA, planning was about assessing, and ticking off, the effects on the environment and how best to mitigate those effects. This replaced the TCPA's more determinist and outcome-oriented approach. The environment technically inclusive of people was now mainly focused on the problems of the natural environment. Urban areas were to be planned for through an environmental lens with social and economic issues only be addressed in as far as they intruded into that environment. In inventing a new concept of sustainable management, the RMA changed the base of planning particularly given these plans were to operate in a market-led neoliberalist system.

New Zealand planners were faced with independently creating a new style for planning which could at best draw sparingly on overseas examples. The creators of the RMA seemed committed to remaking the planning landscape in a new image and independent of the past. This is well illustrated by the requirement for an AEE which is at the core of the resource consent process. The AEE is found only in New Zealand and has similar and different aspects from the well-established Environmental Impact Assessment (EIA) procedures. This meant that New Zealand planners had to re-invent the wheel with the AEE process without the benefit of being able to use those well-established, research EIA processes. Most of this was done in pre-internet days and with no help from central government. It also ensured that the AEE requirements produced across the country all differed, given the Fourth Schedule to the RMA gave only brief and generic direction. This seems to have happened because of an unwavering commitment by central government to minimise its involvement in the RMA to ensure market forces had free rein. The results in this case were different interpretations and procedures for AEEs and frustration from planners and developers.

The changes wrought by the RMA and local body restructuring directly impacted on the culture of planning. Planning culture passed to new practitioners through the coaching and mentoring of inexperienced practitioners. Accepted behaviours are modelled and demonstrated by experienced practitioners. By the 1990s new practitioners were coached by often-harassed seniors, many newly appointed and weighed under by unachievable timeframes to do good coaching or mentoring. The

environment in which planning operated was increasingly politicised and planners were often in the firing line. Young planners of the time quickly learned self-preservation tactics. They learned to expect a pressured work environment, constant restructuring and no professional recognition. This poorly coached and mentored group had no good models to base their own mentoring and coaching skill on. This is why the NZPI and the Young Planners group have been so pre-occupied with the lack of mentoring in the profession in recent years.

Key messages

- The introduction of the RMA resulted in the rejection of much of the planning knowledge and methods developed under the TCPAs.
- The RMA created new requirements (such as AEEs) for which no prescribed process existed. This resulted in different approaches evolving across the country.
- Planning's professional status was undermined in the 1990s. This in turn led to an already fragile planning culture being further undermined.

3.5 A series of new actors in planning appeared as a result of the introduction of the RMA and the local government restructuring process. Those actors gradually developed their own subcultures, further undermining the development of a shared and acknowledged planning culture. The actors were:

- district and city planners at local authorities;
- regional council planners;
- central government planners;
- consultants;
- planners as decision makers;
- urban designers; and
- academic planners.

Each actor is discussed below.

District and city planners at local authorities

Local authority restructuring to separate the policy planners who wrote the plans from the consent planners who implemented and enforced those plans was almost universal. In the 1990s policy planners often became policy analysts; the title of planner has only returned to more common use in the last decade. In Neoliberal terms, this split was needed to avoid policy capture. Those who wrote the plan could not administer it. The Local Government Act had no requirement for such a split, but it was a widely adopted interpretation. Probably, it fitted with the Act's other concepts of transparency and accountability.

The policy planners were usually situated in a separate department, often as part of a strategic planning department. It was common for policy planners to be paid higher salaries because their work was considered to be more complex and intellectually taxing. Given the RMA required the writing of new district plans with the minimum of guidance from the Ministry for the Environment (MfE), this was a reasonably accurate picture. Resources were often limited as local government strove to prove it was a lean and efficient entity.

Consent planners administered the existing district scheme under the new RMA provisions. At times this was very challenging, given the low level of guidance provided by central government. Like many

planners, I spent weeks developing guidance material for council and users of the system to avoid chaos on 1 October 1991 when the RMA became operative. Consent planners were usually put in a regulatory grouping with building inspectors, dog rangers and parking attendants. Over time a sort of class system has grown up in planning, with policy planners as the upper class and consents planners as the lower class. It is often presumed that consent planners remain in that position because they are not good enough to get a job as a policy planner. Often a 'them and us' attitude emerges between the two groups.

This is enormously inimical to both good planning and maintaining a good planning culture in a number of ways. First, good plan making requires good feedback loops that tell you if your plan provisions have had the outcomes you intended. The lack of effective communication between the groups was overcome in the early years of the RMA because most planners had worked in both areas and maintained informal links. These informal links appear to be rare now, with connections mostly operating in a formal consultation framework. In that framework, consent planners are treated as a group the policy planners have to consult rather than the policy planners considering them as professional equals.

Second, consent planners often complain that policy planners write provisions that cannot be easily administered and/or require constant interpretation. That leads to inconsistent plan administration, irritating plan users. Planners are also seen as difficult and/or incompetent and part of an inefficient local authority. Locating consent planners in regulatory grouping also undermined their professional confidence. They consistently interface with the public and they practise in full public view. Often the skills required to communicate with the public are not recognised or understood, and almost certainly not in a professional context.

Third, the career pathway available before 1989 has disappeared. Graduate planners often start with a consents' job as that is the only work available. It is available because that is where the greatest churn of staff occurs. Despite the best efforts of planning educators who stress the importance of consents work, they often consider it to be a temporary position. Usually they develop career aspirations to become a policy planner. This often creates an ever-changing group of consents' staff. This situation is compounded in large councils (eg, Auckland Council) where consents planners may find themselves processing consents in a narrow area of work (eg, yard infringements or applications to remove trees). Not surprisingly, consents teams often seem dispirited as they are also continually in the firing line for trying to administer plans into which they may have had minimal input.

Consents planners are also constantly driven by timeframes. In an attempt to achieve legislation that is more developer friendly, the RMA has timeframes attached to most processes (particularly around consents). No evidence is available that shows these timeframes are based on any research, and a consent for a yard intrusion has the same time allowance as for a windfarm. While time extensions are possible, they are now frowned on. MfE's yearly survey also focuses on measuring this type of performance because it is easy to monitor. Timeframes can put consent planners under great pressure if an ambitious chief executive of a local authority does not want their council to fare badly in the MfE survey. Also, local government units are required to meet performance standards. Again these often focus on the easily measurable, including elements such as the percentage of their recommendations accepted by a decision maker.

For some planners, as I recently discovered, the decision maker accepting a recommendation is interpreted as the decision maker endorsing the planner as 'correct' and a competent planner. This does not suggest a group of planners with confidence in their knowledge and skills, particularly when some consider that the best way for getting a decision maker to accept a recommendation is to tell them what they want to hear. The delegation of decision making to senior planning staff to make the process more responsive also results in planners reporting to their senior officer. This means the senior planner who is supposedly coaching and supporting you is also directly judging your work. These processes have emerged because of the pressure to speed up processes and to be as developer friendly as possible, but I would suggest they are not appropriate for fostering good behavioural norms in a planning system.

Regional Council planners

This completely new group of planners emerged from the 1989 creation of regional councils based on river catchment boundaries. While Auckland, Wellington and Christchurch have had some form of regional planning since the 1960s, it was rare before 1989 to meet a planner who had worked for a

council in those regions. Under the RMA, the roles of regional councils were very environmentally focused, including on contentious issues such as water allocation. Rivers and other resources do impinge on urban areas, meaning some of the work of a regional planner occurs in urban areas. Being part of a new organisation meant that, from the outset, the idea grew that regional plans were somehow different and that TCPA planners were somehow inadequate to produce them. As a result, in their early years regional councils generally employed few planners. If they did, they seemed to prefer those with the minimum of experience and therefore untainted by that TCPA past. Instead, they employed policy officers (usually with a science or geography degree or background) who, with specialist scientists and engineers, proceeded to write the first Regional Policy Statements and an array of regional plans. As the director of planning at one regional council put it 'to me', 'Planners are just C+ geographers'. The quality of those documents and the problems with their administration is a testament to how and where a planner's particular knowledge and skill set is needed.

While regional councils now employ more qualified planners, the planning sector remains dominated by unqualified planners who often do not interact with planners outside their sector or with the NZPI. From my experience, when asked why they did not participate in NZPI conferences and NZPI branch activities the usual answer is that these groups offer nothing of interest to them. While some planners still move in and out of the planning role at a regional council role (eg, this is noticeable in the Hawkes Bay), increasingly regional planners are becoming a distinct group within planning. They have a quite different worldview and view of the role of planning. For them, planning is completely focused on the environment and people are involved almost solely as resource users. Some of these planners almost seem to have adopted the ethos of the scientist, believing their approach is very practical and operating in a quite different planning environment.

Central Government planners

Planners working in central government form the smallest group of planners. This group has changed the most since the RMA was enacted. The Ministry for the Environment is the main employer, followed by the Department of Conservation (Doc) and Heritage New Zealand. A few scattered planners work in other central government offices and state-owned enterprises. In most cases, and with the enterprises in particular, such employers often employ consultants on retainers. The planners at both MfE and DoC have been subject to a great deal of restructuring as governments and political desires have changed over time. MfE originally had branch offices, but now operates only from Auckland and Wellington. Not unexpectedly and given the work undertaken, these planners tend to be quite secretive in the work they do; they do not always have good connections to planners outside central government. DoC planners probably align more with regional council planners as their areas overlap. Some say that the professional views of central government planners have been suppressed where they are inconsistent with government policy. However, this is hard to confirm.

Consultants

Consultants form a planning group that has grown substantially under the RMA and local authority restructuring. Despite claims in 1989 that creating larger units of local government would enable those units to employ more of their professional staff, this has largely not happened. Instead the market for consultants has bloomed, serving local government and the needs of RMA users. Consultants are a very segmented group. At the bottom are the small businesses of one or two people. Often former consent planners from a local authority, this consultant relies on overflow work from local authorities, especially in Auckland. Farming out this overflow is a way for local authorities to cope with the development cycle without having to employ extra permanent staff. Some small consultancies also offer expertise in a particular area of planning consultation. They have to be flexible, well connected and deliver on time and in budget to retain clients. The creation of Auckland Council created a major shake-up in this group of consultancies. Some feel that this group knows its role and delivers expected recommendations.

Above them are the medium-sized consultancies that often are located in provincial cities. They are often part of multi-disciplinary consultancies (often with engineers), which allows the consultancy to offer a comprehensive service to their client. This group of planners usually serve a range of smaller local companies and local authorities, with local authorities often seeking assistance with writing a district plan or dealing with a major resource consent. In this group, acting as a planning commissioner may be a major income stream. They face vigorous competition from the large consultancies.

In large consultancies, planning is part of a multi-disciplinary company. These consultancies will have major offices in Auckland, Wellington and Christchurch; branch offices in the larger provincial cities; and often overseas offices, particularly in Australia. The largest of these consultancies are Beca, Opus, Boffa Miskell, and Harrison Grierson. All are multi-disciplinary, so the planning work may be derived from a large engineering (often infrastructure-related) project. Opus was formed out of the MoWD and, as such, has retained some of its government clients and its focus on infrastructure projects and planning. Opus and Beca have the greatest presence across the country. The planners who work for these consultancies exhibit a very strong commitment to their corporate culture, which is fostered through a well-organised mentoring and coaching system. This system socialises the planners into the corporate culture and helps them to see how they might build a career inside the consultancy. These multi-disciplinary companies have specific graduate recruitment programmes that aim to attract and retain high-quality, new graduates. While all consultancies are driven by the need to gain and retain clients, this group is intensely aware of the need to achieve billable hours. Planners are made aware of how much time they must bill each week and month, with encouragement to improve their billable hours if they fall below 80%. To a degree, commitment to the company ethos and aims displaces those of the profession as a whole. This is understandable given, from my observation, that they are good employers.

Planners as decision makers

The Making Good Decisions Programme³ was introduced to improve the quality of decision making in planning. It allowed the development of independent commissioners to add variety to decision-making panels and to provide neutral decision makers where the council had a conflict of interest. It brought a new, and what was believed to be 'more neutral', voice to decision making. It was never envisaged at the time that this work would become an income stream for an increasingly small number of commissioners. Not all commissioners are planners. The Making Good Decision's programme can be undertaken by anyone who can pay the quite substantial fee to do the course and maintain their accreditation. An additional Panel Chair qualification can also be taken. Commissioners are made up of current and past councillors, planners, lawyers, engineers, scientists and people from a range of other backgrounds. This range raises an unanswered question professional question. If a planner is operating as a commissioner, are they still a planner bound by that profession's rules and expectations? As the programme has no complaints system, MfE has consistently assured me that an unskilled or unethical commissioner would be disciplined by their profession or not be used. I believe that this assurance is contestable. Acting as a commissioner is a very competitive undertaking and the concern is that some local authorities and others have 'tame' commissioners who can be relied on to assist panels to make 'the right decisions'. This area requires urgent further research.

Urban designers

Urban designers are the newest group of specialist planners to emerge. This group is not dominated by planners, and some planners adopt the label only when undertaking certain work. Urban designers are mainly architects and landscape architects. While Auckland University now offers a postgraduate degree in urban design, and similar degrees have existed overseas for some time, most people calling themselves an urban designer do not believe additional training is needed to do their work.

Many planners believe that urban design is just a subset of town planning and does not always require design elements of the type an architect (as urban designer) would see as essential. This is a highly contested area, which makes it difficult to discern any definitive culture beyond the belief that design is central to any urban solution. The Urban Design Forum seems to act an interest-based group rather than as a professional body. Membership is open to anyone who has an interest in urban design. The Forum started as a group affiliated to the NZPI, but has since dropped that connection. The Forum seems to exist and function mostly in Auckland, and to a lesser extent in Wellington and Christchurch.

Academic planners

Planners working in academia form a very small group, despite five universities in New Zealand offering NZPI-accredited planning degrees. In reality, only some of the staff in these programmes are trained or educated as planners. An even smaller group have had any practical experience. Most programmes

³ I have completed this programme, though I have not renewed my accreditation. I am part of the Making Good Decisions Advisory Panel instituted by the Ministry for the Environment, though it currently does not seem to be meeting. The Making Good Decisions training programme is offered by a team within the Opus consultancy.

only just meet the requirements for a proportion of the staff in any planning programme who have to be, or are eligible to be, NZPI members or members of an equivalent overseas institutes (such as the PIA or the RTPi). Generally, the other planners working in academia will have advanced degrees in geography, social policy, environmental management or ecology.

Key messages

- Planner, as a single professional entity, no longer exists.
- The role of the planner tends to be shaped by who they work for or the work they do.
- Planning consultants are a much more significant part of planning, and exhibit their own corporate cultures.
- Planners may also act as decision makers.

4. Whether the key forces shaping the professional culture of planners are conducive to achieving good outcomes from the planning system

This section discusses the key forces shaping the professional culture of planners. It also discusses whether the current culture of planners is conducive to achieving good outcomes from the planning system.

- 4.1 The present culture of planners is the product of planning's history in New Zealand. That includes its role in central and local government and what planning legislation defines it will encompass. In reality, planners can only do what they are allowed to do. This is not unique to the New Zealand planning system. In March's (2007) study of professional planning in Victoria an interviewee noted: "We can only achieve what is allowed by the VPP scheme format" (p. 378). The causes and consequences of that limitation for the culture of planning are discussed below.

The RMA and the focus of planning in New Zealand

- 4.2 When the RMA became operative in 1991, it represented revolutionary rather than evolutionary change. Previous planning statutes had built on what went before, while the RMA's authors seemed intent on ensuring everything changed. This ranged from the RMA managing all resources to changing the names of well-understood terms. This meant that the predominant uses became permitted activities and the three consent categories were expanded to four, with prohibited activities also being added. Some believed that the RMA had created a consents system that would seamlessly deal with everything from a subdivision to a consent for a water take. In reality the RMA was administratively difficult from its first day because the past had been cast aside and because the new processes that worked in theory proved difficult in practice. Most importantly, the new legislation hardly acknowledged the urban environment where 87% of New Zealanders live. It also raised the environment to such high status that the government decided not to exercise the roles the legislation assigned to it. This situation was a recipe for chaos, and planning ended up at the centre of that chaos.
- 4.3 Today some members of the public assume that the RMA was the idea of planners. In fact, it was a political decision led by Sir Geoffrey Palmer. While New Zealanders like to believe that they are more environmentally aware and greener than other countries, little evidence supports this. Therefore, New Zealanders were never really asked if they wanted to make the environment and the effects on it the prime determinant of a planning / resource management system. While the RMA's formulation involved significant consultation, I doubt many people realised what was being proposed and instead basked in the idea that we would be world leading. Bodies such as the NZPI, the Law Society and the Institute of Surveyors all made extensive submissions on the Resource Management Bill and achieved some changes, particularly after the National Government came to power. However, some of the RMA's approaches were novel, so the problems only arose after the approaches were put into practice.

For planners, including me, the realisation came when you tried to explain sustainable management to the public and got the response "alright, but where does that leave me and my home or business?" Often the 'sustainable management' approach left them with a more complex and costly system in which the environment seemed more important than people. Local authority restructuring, including the introduction of a more 'user-pays' approach, coincided with the introduction of the RMA. This ensured that the costs of consent applications, for instance, seemed to balloon, with the blame often unfairly laid at the RMA's door. The problem is that now some members of the public regard the RMA with all its flaws as what planners wished to see imposed on the public. In fact, planners, who now generally support the intent of the RMA, could see its flaws which they were powerless to correct. As planners had done in the past, they tried to do the best with what they were given.

- 4.4 In plan making, the RMA's approach was one of 'turving out' the old and starting again. In some cases those who could see some good past practices were characterised as being 'stuck in the past' or apologist for the TCPA. Some planners took this on with zeal. The late Ted Fox, City Planner at Whanganui, declared his new plan would have no zoning and would be a slim volume. I directly experienced MfE's approach of pointing out errors but not providing any solutions. I was told I could not use 'minimise adverse effects' in an objective or policy, but had to always use 'avoid, remedy or mitigate adverse effects on the environment'. It is hardly surprising that plans, including Fox's plan for Whanganui, ballooned in size.

If old, tried and effective methods were now deemed no good then replacements were needed. Many replacements were more complex than those that preceded them. A good example is the height in relation to boundary control. It essentially attempts to ensure that one property cannot overlook and overshadow a building on an adjoining property. This is achieved by controlling the height of a building the closer it gets to the common boundary. In the pre-RMA period, the height of flat sites was usually calculated by using the formula for a maximum height at a particular point of $3m \times \frac{3}{4}$ the distance to the boundary. In residential zones it worked reasonably well, but has now been replaced by complex controls. These controls require technical input to be understood; they also create more non-complying situations. Controls are generally more complex and harder to administer, but there is no firm evidence they create any better outcomes.

- 4.5 This highlights another issue in planning's culture —the dearth of authoritative research on planning in New Zealand or evaluations of the instruments and techniques it uses. There are academic commentaries on the RMA and how it has been used, but these generally do not address the day-to-day aspects of planning practice. This is probably a role for MfE, but years of central government underfunding and general lack of interest in planning practice has meant that this has not been done beyond a short period in the early 2000s.

The Quality Planning website was intended as such a resource and was a joint effort between MfE, NZPI, the Resource Management Law Association (RMLA) and the Institute of Surveyors. The website was a resource with potential, but in recent years its contents have not been updated. NZPI now administers the website, but the costs of constantly updating the website are high. Apparently this is because another practitioner and lawyers have to vet any content to ensure the content has no errors. Some years ago I was told that providing content for one area costs in excess of \$40 000, but I cannot verify this. The risk-averse aspect of practice elsewhere clearly also extends to MfE. An interactive website for local authorities exists to allow planners to seek answers to planning issues from other practitioners. As an academic I cannot access this website, but colleagues who can access it suggest the quality of the answers is not assured. MfE experimented with such a service before abandoning it. My observation was that the quality of the advice was very variable, probably because it was primarily being used by younger and less-experienced planners. Elsewhere, a small academic planning community and underfunding have meant that few people are attracted to doing such work. This does again tend to leave planners to their own devices when developing new approaches. This probably stifles creative approaches. From my observation, consultants are often used to undertake this type of new work. This means that any new knowledge generated often stays with those consultants. The council planners also have limited opportunities to develop the skills needed to formulate new policy.

How planners view themselves and their role

- 4.6 The work by Fox-Rogers and Murphy (2016) on the self-perceptions of Irish planners is instructive, and I hope will become the basis of further research in New Zealand. This work, based on interviews, revealed that planners saw themselves playing two predominant roles: mediator and administrator. The authors saw this as being "broadly aligned with pluralist and managerialist theoretical perspectives" (p. 83). In the absence of any New Zealand research, I thought it was worth doing a short survey of interviews with planners I knew. They represented practitioners at different stages in their careers. Some worked in policy; others in consents. Some worked for local government; others worked as consultants. Only one person at a later stage in their career saw the planner as an advisor, trying to bring professional advice and expertise to help the decision maker make the best decision to achieve the best outcome. The mid-career and early career planners saw themselves as mediators/facilitators trying, as one said, "to get people together" and "to set the direction of development". Another said they tried "to navigate a range of opinions".

For these two groups, planning, as the Fox-Rogers and Murphy (2016) study found, was not about planners as professional experts/advisors. In a wider discussion, the authors observed that "planning struggles to find a place and a voice", that planning always "gets a bad rap" and that it is often difficult to get evidence-based material heard. They felt the politicians and public only understood "bits and pieces" of planning and "never got the big picture". At times the Irish planners felt that where they tried to advance proposals representing the public interest, these proposals were inevitably challenged. As planners they were not able or empowered to fight for them. I have heard similar concerns from New Zealand practitioners.

- 4.7 Discussions with New Zealand planners revealed that this challenging working environment was also a product of the changes in local government in the late 1980s. Unrealistic timeframes in the consent

area meant they focused on the fastest rather than the best outcomes. The policy/implementation split had also led to a loss of a holistic view of planning. These planners felt that the NZPI had lost its voice and saw organisations such as the New Zealand Society of Local Government Managers (SOLGM) as being more important, particularly as they advanced up the career ladder. A more experienced planner also noted that the unity that once existed at upper-management level had fractured, and that chief executives had become less likely to defend senior staff. In short, planners at any level could not be sure of support and could be 'thrown to the wolves' if anything went wrong.

How the public views the planning profession and what planners do

- 4.8 It is hard to read a newspaper or listen to a radio or television programme without hearing that something 'planners' have done is wrong or contrary to the public interest. However, it is never clear who this planner is and if they are, in fact, a planner. For instance, the roading and transport planning sector is dominated by traffic/transport engineers rather than planners. If criticism is being levelled, then it should be directed at the correct person. The housing affordability debate also characterises planners as 'baddies' who prevent young families from gaining a foothold on the property ladder. This overlooks the fact that a plan creates opportunities, but can make nothing happen until in this case a landowner and developer decide to use those provisions. The latest proposed National Policy Statement (NPS) on Urban Land supply is an illustration of the lack of understanding of the role of planners. What the new NPS will require planners to do to provide residential and industrial land resources has been planning practice for decades.
- 4.9 Equally, the public often severely criticise a decision which, for a major project, elected politicians or hearing commissioners have likely made, not planners. This illustrates that the some members of public generally have little idea about who planners are, what they do, or the role they play in RMA processes. They have little understanding that the recommendations a planner makes to a decision maker are the product of a comprehensive assessment of all aspects of proposal. That includes its 'fit' in terms of the existing environment, the plan's provisions in the case of resource consents, and the alternative ways of achieving an objective or policy (including an assessment of the broad cost and benefits in the case of plan or plan change).

Instead, the public seem to see the planner as offering an opinion based on the minimal assessment, their own uninformed opinions or reflecting what the council or the applicant desires. Most planning processes have three actors — the applicant, the council, and the affected submitters. Each actor has a desired outcome, with the council being the only party seeking an outcome that is also in the community's interest. The planner is there to help make that assessment. However, the applicant and submitters (who are, logically, advancing their own self-interest) do not see the planner as the neutral assessor. Instead, the applicant believes the planner favours the submitters and vice versa. It can mean that the planner ends up 'in the middle', unable to convince anyone of their good intentions. This is a stressful working environment. Planners also make convenient scapegoats, including taking the blame for decisions they may have recommended against as local authority planners are not permitted to make comments to the press.

Planners in consultancies tend to fare better, as they do not constantly work in the public sector and the public eye as local authority planners do. I have heard planners say at social events that they are loath to say they are planners, and they certainly avoid saying they work for a council. One of the advantages of working for a consultant is that you can say you work for firm X. At a conference a group of planners also admitted they would not want their children to become planners.

Consultation and collaboration

- 4.10 One key difference between the TCPAs and the RMA is the role of the public and consultation in processes. New Zealand has always had third-party rights. This is unusual, particularly in terms of the appeal rights. In the English system, for instance, while the affected party can lodge an objection at the council level, only the applicant has the right to appeal the decision. This New Zealand system worked very well until the RMA, because the third parties had to prove they were "affected more than the public at large" to lodge an objection.⁴ This tended to confine objections and appeals to those who could prove they had such standing (ie, neighbours and others directly affected). It did exclude public interest (eg, environmental) groups. And it did not stop trade competition objections, which the courts consistently rejected but which still achieved the intended delay in a competitor's project.

⁴ If you could demonstrate this, you were regarded as "having standing" in terms of that application or plan hearing.

When the RMA became operative the concept of standing was abandoned, which introduced a new range of submitters. While in the case of resource consents the submitters are usually still the affected parties, in the case of plans the submitters can include new voices with new demands. When combined with a more litigious system, answering submissions⁵ has become much more complex. This is especially so given submitters now turn up to court with lawyers and their own experts. The situation has also introduced a great deal of expert evidence from, for example, civil, structural and transport engineers; acoustic consultants; urban designers; landscape architects; and ecologists. This variation of views creates a combative and stressful environment. The planner now seems to be reduced to a coordinator of views, with the need for and value of planning knowledge and advice being lost.

- 4.11 The plan making process now starts with consultation rather than as happened under the TCPA. Previously, planners identified the issues the reviewed plan needed to deal with and suggested possible alternative ways of addressing these issues. Now the public's voice through consultation has displaced, to a degree, the expert opinion and knowledge of the planner. This is a direct product of the dominance of the communicative paradigm in planning theory that is enshrined in the RMA. This assumes that consultation will eventually produce some compromise position or solution that everyone will agree to. Instead a welter of opinions are expressed which are strung along a spectrum, with little or no prospect of finding this elusive compromise. The system has become so strongly pluralist that the planner is left sorting through the opinions to formulate responses that can realistically only reflect some of those opinions. This is inevitable for two reasons. First, few opinions will be backed by evidence to support what is being demanded. Second, few will consider the community as a whole and what it needs. While supporting evidence and such considerations are part of the role of the planner, the public whose suggestions/submissions end up not reflected in the decision may feel they have 'lost' and express displeasure.

Effectively, planners now have multiple masters. A planner can expect one of their recommendations a day (a recommendation based on their professional training and experience) to be displaced by an opinion from a member of the public. The belief in consultation overlooks the fact that individuals will primarily represent their own interest. This sometimes takes the form of an attempt by a resident to protect their biggest asset (their home) and to safeguard their local amenities. In their view, their stance is completely rational. Their views may only change when the rationale for development suggests that they would benefit financially from development happening to their home and community.

A planner may seem frightened to propose anything that a member of the public has opposed. The planner is faced with trying to make sense out of these multiple opinions. This is well illustrated by the issues with higher-density housing proposals in Auckland. In a situation where consultation is at the heart of everything that planners do, politicians become attuned to the public's opinions. Politicians are happy to substitute those opinions for the evidence-based advice of their planners. Worldwide, the correlation between the growth in consultation/pluralism and the growth in NIMBYISM seems strong. The actions of politicians and this correlation see the opinions of individuals and groups substituted for those of the community/city as a whole, which the planner tries to represent. This creates a working environment of criticism against planners. Clearly these types of conflicts do not exist in all areas of planning, but the potential for such conflict is always evident. That situation makes planners wary in terms of their practice. It is also not conducive to creating a climate in which bold, innovative proposals are likely to emerge. It is becoming obvious that this type of difficult operating climate exists strongly in Auckland and, to a lesser extent, in other growing cities. This means conflict exists where the need for innovative planning is at its greatest.

The practice environment

- 4.12 Consequently, planners often practice in very fraught and negative circumstances. In many cases, these problems have been compounded by perpetual change from restructuring. This has included introducing practices such as 'hot desking', which particularly diminished the work environments of consents planners.

⁵ Every submission to a district or regional plan must be answered. This is a shorthand term for the process of the planner considering the submission in terms of the RMA's requirements, other submissions and further submissions, and what the proposed plan states. The findings of this process are presented in a report to a hearings committee, which considers the findings along with written and oral evidence from the submitters before making a decision and advising the submitter of its decision.

In the late 1990s and early 2000s many local authorities adopted an ISO accreditation approach in their consents' units. This focused on processes only and ignored the position that planning was about achieving outcomes. The ISO approach characterised planning as a process that could be reduced to a 'tick the box' system, be sped up, and could come with a 'money back' guarantee. Hamilton City Council offered such a guarantee if statutory timeframes were exceeded. This ignored the diversity of consent that might have to be processed in that period. I successfully fought in the 1990s to stop planners having to wear a uniform the council had decided all customer service staff should wear. That proposal suggested planners were viewed not as professionals, but as customer service staff. This did little to shore up the concept that planners had a professional culture involving responsibilities and norms.

The Australian profession in the early 2000s suffered many of the same problems. Many planners in Australia believed that this toxic work environment was the reason for a steady outflow of experienced planners from the profession. Stressful and/or unfulfilling work environments are reflected in planning's culture. While the work by Taylor (2013) on planning culture is a little difficult to directly relate to the New Zealand situation, it does highlight the role that institutions (here local government structures) play in "producing and reproducing' both societal and professional norms which underpin professional culture" (p. 697).

- 4.13 I believe that these institutional and structural pressures, over time, have made planners more timid and less confident in their abilities. This is well illustrated by the advice notes that litter resource consent conditions and plans. They signal that the writer is uncertain of their expertise. As a result, they try to add extra detail to avoid an unexpected result. Earlier in this century, senior planners preparing young planners for their NZPI membership interviews⁶ expressed considerable concern that many young planners could only describe planning as a process derived from the RMA. These new planner saw themselves (and their roles) as 'generalist'. While the generalist label seems to have generally disappeared, some planners still rely on a process-driven description of their role.

Planners are also risk averse. This is one reason why district and regional plans are over written. The planner is trying to cover all the alternatives and to allow for endless flexibility to meet everyone's possible needs rather than providing a clear succinct direction. This risk-averse approach is also a product of the relative lack of experience of some senior staff. When I entered the profession, a planner could only achieve a senior position after 5 years' experience. Indeed, most only achieved that position after about 8 years. Now it is commonplace for senior planners to have 3 years' experience, and often with a single employer. As a result, the senior planner often has insufficient breadth of experience to support the staff working under them. Many lack the confidence that comes with experience to know when it is possible to introduce some innovation or to deal with risk successfully. If planning is a 'wicked' problem, then at times planners will have to take risks if they are to devise new, innovative solutions.

- 4.14 This also has implications for the development of planning staff. No academic course can teach experience. As such, it is assumed by every profession that an academic qualification will put in place basic knowledge and skills, identify and consolidate the profession's disciplinary knowledge, and expose the student to a range of alternative approaches to addressing different planning issues. In their first years of practice, the new graduate will be exposed to the actual practice of planning. With coaching from a senior officer, they will develop the skills needed to do the job they were employed to do. In those first few years a planner also needs to engage with a mentor (probably outside their organisation) who will guide them to develop their career and guide them on how to deal with ethical and practice issues they cannot discuss at work.

What I have just described is an ideal situation. In practice, the best you can hope for is that the graduate will receive some reasonable coaching in their workplace. However, that may not be good coaching. The senior planner may have little experience to draw on, is likely to have been poorly coached/mentored themselves, and is under constant time pressure. Mentoring from my research

⁶ To apply for full membership of the NZPI and to use the letters MNZPI (member of the NZPI) a planner must have completed an accredited planning degree, have spent at least 3 years in planning practice, and be supported in their application by three NZPI members. One of those three members is the proposer. The proposer must be a full member of the NZPI. They must be familiar with that applicant's practice, be able to present a corroborated record of that work (including three examples of the applicant's work). The applicant must also successfully complete an interview with a panel of 3 senior practitioners, with one being a present or past councillor / board member of the NZPI. That senior practitioner will also chair the Panel. The interview lasts 1-2 hours and involves a quite wide-ranging discussion on the nature of planning practice and the roles and responsibilities of a practitioner. The Membership Convenor (one of my current roles) reviews each application before the applicant is interviewed. If the person is unsuccessful, the Panel provides details of what they need to do to better prepare themselves. The proposer will be expected to assist and support the person to do this before they apply next time. I chair panels in the Manawatu/Whanganui/Taranaki areas, and have been a panellist since the mid-1980s.

tends to be a mirage that is either used as a label for coaching or only occurs when an individual planner seeks out a mentor. Work I did a decade ago revealed a huge need for improved coaching, and for more and better mentoring (Miller & McDonald, 2005; Miller, 2006). The NZPI, particularly the Young Planners, have tried to address this, but with limited success. This means that, in their vital first few years of practice, a graduate may be poorly socialised and mentored into the profession. They may also have a negative experience that sees them leave the profession or remain as a planner who will never fulfil their potential in the planning profession.

The impact of lawyers

- 4.15 The practice of planning has also become more litigious. Former Chief Planning Judge Arnold Turner told me in an interview (Miller, 2011) that few lawyers during the 1950s and 1960s were doing planning work. Most combined that specific work with general local authority work. While the number of planning lawyers increased in the 1970s and 1980s, they did not exist in the numbers that they do today when every major law firm has a resource management law department. We also have the RMLA, which mainly represents and advocates for legal interpretations of the RMA.

The greater involvement of lawyers which came with the RMA is also one reason why plans have become more complex. Today, every plan is subject to a legal assessment. This tends to make processes more complex and more focused on a worst case scenario. For example, before the RMA the Palmerston North City Council's district scheme allowed minor infringements such as a yard requirement to be approved if the neighbour, as the affected party, agreed to it and signed the plan showing this layout. The lawyers said this approval was illegal as it granted consent without the required legal process. In the new RMA district plan, the same issue became a resource consent, with all the attendant cost in money and time.

The number of appeals has also increased, including appeals to the High Court and the Supreme Court. Judicial review, particularly on decisions on notification, is also more common. Notification decisions focus on who will be considered as affected by the proposal. Due to layer upon layer of amendments, supposedly to speed it up the consent system, the planning consent process is now complex. The real potential for judicial review makes planners cautious in terms of notification decisions. I am told that a commissioner in the Auckland Council now makes these decisions, which must add to the time and cost of the process.

The whole notification part of the RMA is now full of 'ifs, buts and maybes', which makes the RMA difficult to teach to new and prospective planners. This surely means that it is difficult to explain the RMA to anyone caught up in its requirements. Consents planner see this as one area where their practice will always be criticised, even though New Zealand has always had a very responsive system. According to the MfE's Local Authority Survey, the non-notification rate has never fallen below 94%, and is usually about 96% or 97%. This leaves consent planners feeling unjustly accused of over notifying, particularly as they attract constant criticism from the public for not notifying consent applications. Inevitably, it is also an area where planners feel pressured by politicians, applicants and the public, and so feel they are in a 'no win' situation.

Are planners' professionals and recognised as such?

- 4.16 In 1967 the NZPI membership declined the opportunity to become a registered profession like surveying or architecture. This means that anyone can and does call themselves a planner, whether they have had any planning training or not. Also, the NZPI has remained a voluntary profession. This was understandable in the early days of planning, but today there is no reason for a person doing planning work to not have the appropriate qualification. Five universities offer accredited planning degrees, including a part-time distance option at postgraduate level. Employers continue to use untrained/qualified staff because they clearly do not see planning as a unique discipline and seem to believe that the required knowledge and skills can be 'picked up' on the job. Given unqualified staff are most often employed in a boom when planners are in short supply, they are likely picking up that knowledge in an office with stretched resources from a staff who perhaps have only limited experience. Equally, it is doubtful whether anyone picks up any planning theory or knowledge of the profession's wider ambit and history on the job. The NZPI compounds this issue by allowing alternative entry to full membership for anyone who has been in a planning position for seven years. This is fully explored in Miller (2011). This situation does make it difficult for the NZPI or planners to convince employers or the public that planning is a profession. Ironically, at the same time as allowing

for alternative entry, the NZPI imposes quite strict requirements on the accredited planning programmes through its Education Policy.

- 4.17 While the NZPI has ethics and professional conduct requirements, disciplinary actions are rare. Where they are undertaken, this is done in secret and very slowly. If a member is found wanting, then they can walk away from the Institute – probably with little damage to their career. Even registered professions have problems effectively disciplining their members, as the case after the CCTV building collapse in the Christchurch series of earthquakes demonstrates. Some of these problems, magnified for voluntary professions, arise because professions are in essence monopolies that, in recent decades, have had to “incorporate ideals derived from...market competition and managerial efficiency” (Campbell & Henneberry, 2005, p. 54).

This situation not unexpectedly undermines the logic of the profession and what its members seek to achieve. Not all planners in New Zealand are NZPI members. As a result, planners have no unified voice or presence. No one ‘stands up for’ or protects planners. The NZPI currently has about 2 300 members, but a number of planners who hold planning qualifications choose not to be members. The NZPI also continues to try to be an ‘everyperson’ organisation. As such, you can become an Associate of the NZPI if you can demonstrate an interest in planning. This growing group is included in the overall membership numbers for the NZPI.

The NZPI has always adopted a low media profile and is generally ignored by that media, which seeks comments on planning issues from the RMLA, Environmental Defence Society and others. Its reluctance to claim a place in planning debates seems to stem from a concern they will say something a member may not agree with. This in itself shows how deeply embedded the communicative/consultative paradigm is in planning’s culture. Consequently, the debates on planning normally lack a planner’s voice. This leaves the profession unheard and disempowered.

Key messages

- The advent of the RMA imposed new demands in writing plans and dealing with consents.
- The RMA brought about the (often unnecessary) abandonment of proved planning methods.
- The role of the planner in consents processes is poorly understood, particularly by the public.
- Planners are not always recognised as representing the public interest.
- Planners often work in highly stressful environments and are useful scapegoats.
- Planning culture is risk averse.
- The increasing presence of lawyers has made planning more litigious.
- The planning profession cannot get its voice heard in planning debates.

5. Impact of friction (if any) between the culture of planners and other professions within the planning system

This section discusses the friction (if any) between the culture of planners and other professions within the planning system. It also asks the question: If friction exists, what is the impact of that friction?

- 5.1 A number of sources of friction are revealed above, but it is worth briefly covering them here as well. A type of friction is evident between consent and policy planners. This friction arises out of their perceived different status in councils, which is reflected in their pay and career prospects. This friction impacts on who is attracted to, and who stays in, consent roles. New graduates often view a consent role as a stepping stone to something better –as somewhere you stay to get experience before you move to a better job, probably in policy. Very talented consents planners may stay and do an excellent job if other factors keep them in a particular location. Often these planners are poached by consultancies that offer them better pay and better status without having to deal daily with difficult people at the counter. This situation often means that consent teams, the public face of planning, are staffed by the less than talented, the disaffected, and those with their eyes firmly focused on the exit door.
- 5.2 A degree of friction has existed, and will always exist with the other professions that planners tend to intersect with. With engineers the friction is generally contained, and is probably at its greatest in the transport planning area. Planners see they can make a contribution in transport planning, which some engineers contest. The friction generally arises because ultimately the planner knows the engineers' advice is likely to be accepted before their own. Through the 1990s and into the 21st century, local authority structures also meant that a planner could not, as in the past, consult with others (eg, an engineer) to get another perspective on the issue they were dealing with. The structures also meant others could not consult with a planner. As the local authority had to pay for the advice of others, that advice was only called on for the most difficult situations. This distance eroded both the working relationships inside councils and the holistic approaches to dealing with complex problems. While this type of charging for advice has been modified or abandoned, it did much to break the professional connections that had previously existed. From my observation, the best relationship between planners and engineers probably exists in the provincial cities and in district councils. A smaller professional staff in these councils can mean that the two professional groups get to know each other better, which leads to more cooperation.
- 5.3 The relationship between architects and planners had always had some friction. Architects believe any rules in a plan to do with buildings and their siting are undue limitations on their design abilities and skills. This conflict is most apparent in the consents area, but is limited by the small percentage of New Zealand homes that involve any architectural input. Most of the building companies have designed their standard house plans to fit in with most plan requirements. Commercial building does involve architects, and this is where some friction may occur. It may not be design based and may be more about getting as big a building on site as possible. The greatest potential for friction is where design panels are used as they are in Auckland. When that happens, the dispute is not with the planner as much as with the design panel members (few being planners). Anecdotal evidence suggests that applicant in Auckland use the architects and urban designers whose work they know the panel approves.
- 5.4 Surveyors are wonderful advocates for their clients, particularly as to the conditions of consent on subdivision. These consents have been a source of friction since subdivision was brought into the RMA. New Zealand benefits hugely from having guaranteed titles under the Torrens system, which allows the fast buying and selling of land and fast transfer of title. However, this also means the country has strict legal requirements about creating these titles through our subdivision processes. Some of these requirements lie in the local authorities' domain; the rest lie with the requirements of the Chief Surveyor and Land Information New Zealand.

Prior to 1991 district plans determined the basics of site size, frontage, and access. The setting and taking of financial contributions for infrastructural services and reserves contributions were all dealt with under the Local Government Act. Now these contributions are conditions of a subdivision consent. Those conditions are determined on the basis of the financial contributions policy in the district plan. This policy became the most contested part of the new RMA district plans. The situation got so bad that those local authorities able to do so moved the financial contributions policy into their Annual Plans, which had no appeal rights.

A major source of friction between planners, surveyors and developers is that these contributions often involve huge sums, particularly in a fast-growing city, and often the council has few other available options to raise the required capital. This situation also draws planners into a dispute that, though not a planning issue, causes anxiety between the councils and the planning profession. The solution would be to remove subdivision from the RMA, where it never belonged in the first place.

- 5.5 A more subtle friction has existed between planners who have practised mostly in New Zealand, planners who have practised for a substantial time overseas, (usually in England), and planners who trained in England. In the mid-1990s many New Zealand new graduates found it difficult to secure work. After often only limited or no practice in New Zealand, they moved (usually to London) for the great 'Overseas Experience' (OE). In England, they found plenty of work in the London boroughs, working under a quite different planning system. The English planning system had greater central government involvement (through the Planning Guidance Notes in the 1990s; now through the National Policy Planning Framework). While local plans existed, they were approved by the Planning Inspectors who also dealt with any appeals. The English planning system is also much more rigid and requires more planning intervention to, for instance, change the use of a building even if in our system it was to another similar use allowed for in that zone.

Zoning is not really used and the system is less permissive than the New Zealand system, such as not allowing for third-party appeal rights. Planners play a different role, as England places a great emphasis on design and appearance controls that have only been part of the New Zealand system for heritage buildings. When these planners returned to New Zealand, some found the planning system too permissive and were keener to see design and appearance controls in district plans. This preference was enforced by the inflow of English planners, often appointed to senior policy roles. They also seemed to support such plan provisions and a generally less permissive approach to planning. While this is largely based on anecdotal evidence gleaned from discussions with a range of planners, I think it would be borne out through a plan analysis. Given it is accepted that planners, like other professionals, are socialised into their profession, this view seems quite feasible.

- 5.6 Aligned to this issue is the very real friction between planners and those who call themselves urban designers. Urban design as a term has only been in common use in New Zealand for about the last decade. Its roots lie in the English design and appearance controls and the American New Urbanist movement. That movement draws on Stein in the 1920s and 1930s and Le Corbusier and the Congrès Internationaux d'Architecture Modern (CIAM) after the Second World War. The American New Urbanist movement works through the Charter of the New Urbanism and actively seeks to promote its view of the role of urban design internationally.

New Urbanists argue that the design of settlements, including suburbs and neighbourhoods, is central to achieving better and "more sustainable neighbourhoods, buildings and regions" (Robbins, 2013, p. 313). The connection of design to sustainability gave it wide appeal and saw New Urbanism and urban design emerge as a response to the challenge of creating sustainable urban areas (and with it the belief that urban design would improve public wellbeing). As Robbins (2013) notes, 'the CNU [Charter of New Urbanism] has a fundamental and almost evangelical belief in the role of design not only in informing a better city but also in shaping a better society' (p. 316). In the United States, this became the basis of New Urbanist's developments such as planned community of Seaside, Florida.⁷ The problem is that New Urbanism is culturally driven and based on "a longing for an apocryphal small-town America" (Robbins, 2013, p. 320). This overlooks the essential messiness of most towns and cities, which is the product of their individual histories.

- 5.7 New Zealand seemed to adopt these ideas quite uncritically and began to include them, particularly in the residential zones of district plans. As the RMA largely ignored the urban world, it left a void in New Zealand planning that was waiting to be filled. Michael Gunder (2010) from the Auckland University Planning School has produced an interesting exploration of the difference in values between urban design and urban planning. Gunder sees the void in urban planning produced by the RMA as one source of the uptake of urban design. He also sees the emphasis in the New Zealand system on performance-based planning controls as playing a role. Gunder (2010) further points to the championing of the Urban Design Protocol by MfE in the early 2000s, which managed to focus so completely on design that the word planning was mentioned only "twice in a thirty-six page document" (p. 187). That protocol and programme was poorly funded and relied on local authority

⁷ Seaside was used as one of the main locations for the 1998 film *The Truman Show*. The Disney Corporation built a New Urbanist town called Celebration in Osceola County, Florida, close to Walt Disney World Resort.

champions to facilitate its urban design initiative. Today, the protocol has largely been reduced to a series of 'buzz' words that are used when urban design proposals need support.

- 5.8 Urban design certainly has a place in design of the public realm; work done in the past by a coalition of town planners, architects and landscape architects. In simple terms, the planners determined what could be compatibly developed in the area, the architects designed the buildings and structures, and the landscape architects dealt with the spaces between the buildings. Together, they would use their different contributions to achieve the best outcome for those who would use the area and for the wider community. It is worth remembering that planning has design origins, with the first qualification in planning in 1909 being called a Diploma of Civic Design at the University of Liverpool.

However, putting urban design controls into district plans for many planners seems a step too far. This creates a split in planning between the usually older planners and those who see it as the height of sophistication in planning practice. The disagreement stems from a lack of belief that design can create better communities, and concerns about the costs and cultural origins of design. This is an active issue, and which group will prevail is unclear. Currently, the urban design-led groups seem to be in control, and I note that many planning students want a career in that area. The problem is that these rules based on urban design are being embedded in plans and will be in place for some time given the costs of making plan changes to remove them.

- 5.9 The role of urban design is also a matter of dispute. Does the role fall under the normal capabilities of an architect, planner or landscape architect, or does it form a specific role called an urban designer? Many urban designers call themselves an urban designer. Also, there seems to be little attempt to develop urban design principles and ideas that have New Zealand origins; most remain derived from American and English models.

New Urbanist ideas are also the source of the current interest in trying to plan for mixed-use areas. These are areas where people could live near their work and so walk to work, and also shop and undertake recreational activities. Again, this takes a small-town model and tries to reshape it in part of a New Zealand city or suburb. The model forms part of the promise that the new style of planning focused on urban design seems to offer; that is, planning that creates sustainable communities within cities. However, for this to work a significant correlation is needed between where people work and a job (that suits their knowledge and skills) becoming available and sustained over time. This outcome seems unlikely, and most mixed-used zones are too small to offer those sorts of opportunities to all residents. The problem is that, in the longer term, planning may be seen to have overpromised with these sorts of developments. They will reap a harvest of discontent from both politicians and the public. Perhaps the most successful aspect of design-led planning is the re-emergence of master planned (structure planned) communities such as Hobsonville Point in Auckland.

- 5.10 I have recently become aware of another growing area of friction between a group who some call 'celebrity planners' and local authority planners. Apparently, a small group of consultant planners regularly appear before planning commissioners. They are listened to and believed more often than planners working for the local authority. This possible bias is compounded by some 'celebrity planners' also working as planning commissioners. I have seen some evidence of this as well. To some extent, the friction has always existed as the planning community is quite small. But I am unsure quite how widespread the friction is. The greater use of commissioners seems to make more room for this type of situation to emerge, given that in other circumstances the commissioner will in another situation also be operating as a planner. Even councillors in the past have been poor in identifying conflicts of interest in these situations. The fact that some local authority planners believe this is a problem is indicative of the fragility of the planning profession's belief in itself.

The gap between planners working in Auckland and those working elsewhere (particularly in provincial cities) is increasing. Both groups seem to believe the other group does not understand their issues. This friction is worsened by the belief that many of the government's concerns about planning are rooted in what is happening in Auckland. Given the disparity in size between Auckland and the country's other cities, there is a concern that the RMA will be amended to address Auckland's problems only. That decision may leave a system unsuited to much of the rest of New Zealand. This frictions is further worsened by the fact that a planner can spend their whole career in a city of Auckland's size. This may mean they are over-influenced by the culture and practice norms that only exist in that city.

- 5.11 Friction exists, and always has existed, between developers and planners. This friction arises out of a developer's desire to get the greatest financial benefit from their bundle of property rights and the planner's role in curtailing those rights in the interest of the wider community. While this friction has always existed and is now at the core of planning's culture, the planner is also expected to facilitate development. Inevitably that means the developer expects the planning system to predominantly reflect their needs. That expectation unbalances the core of planning's culture.

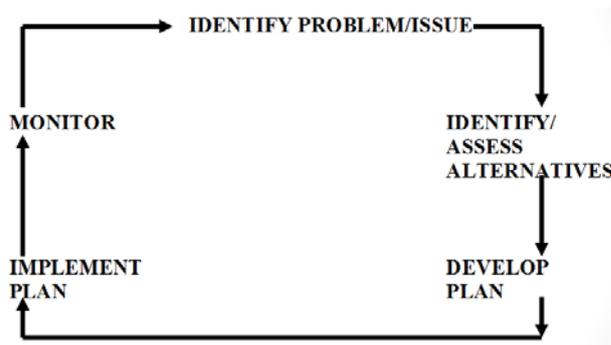
Key messages

- Divisions exist within the planning community and create different planning cultures.
- Most friction is about where people work, or the focus of their work.
- Some friction exists between planners and other professions, resulting from their different outlooks and motivations.
- The essential friction between planners and developers is at the core of planning's culture and has become unbalanced in recent decades.

6. The type of culture that is conducive to “good planning outcomes”

The following 16 factors seem to be essential to creating a positive planning culture where planners have the opportunity to perform at their best and with the knowledge that their role is respected and accepted.

1. Get the legislation right. This would involve discarding the RMA in its present form, keeping its approaches/focus for regional councils and for resources (eg, water), but formulating a new urban-based legislation. Such legislation might have to be in two parts – one part for Auckland and other high-growth cities, and one part for the rest of New Zealand. It should also better integrate land use, social and economic and transport planning (ie, be a spatial plan with enforceable elements). This would ensure that planners had an explicit planning remit within which to practice.
2. Include a definition of the new legislation’s purpose that moves beyond sustainable management and recognises that you cannot regulate the environment without intruding into social and economic concerns. The role of planners in this must also acknowledge the centrality in that role of representing and protecting the interest of the public and the communities they live in.
3. Create a sensible and simpler consents system within the new legislation. For instance, the system must remove the layers of regulations around notification. Planners who are less fearful make better decisions and give better advice.
4. Remove subdivision from the RMA. Some issues (such as infrastructure contributions) are not planning problems and should be addressed in another forum. This would help to reduce the friction between planners, surveyors and developers.
5. Reduce both public consultation requirements and submission and appeal rights to perhaps what existed under the TCPA. This would remove some of the voices from the planning system that do not seem to be producing any better outcomes.
6. Fashion new requirements for plan writing. The present requirement for plans to have issues, objectives and policies essentially explaining the need for the rule or other method is unnecessary. It puts into the plan the series of steps that planners take in terms of how they write plans. This does not need to be in a plan as a section 32 assessment is already in place to reassure everyone that the plan is not a capricious document. Planning exists because a plan can provide some solutions for an issue, so that process could be taken ‘as read’. Instead, some short objectives and policies are needed for the plan as a whole, and for each major zone. The rules and other methods would be the means of achieving those objectives and policies. This should reduce the bulk of plans and make them more useable, given it is presumed that anyone can read and understand a district plan.
7. Get more involvement of central government as a partner in the planning system. There may be room for some universal solutions, which could be put in place through NPSs or a reformulated National Environmental Standard system.
8. Provide planners with a practical and reliable source of assistance, particularly for smaller councils with limited planning resources. A planning advisor system funded by central government and staffed by experienced planning practitioners would be of great use. That development would do much to improve the performance of planning practitioners and to create a more positive, creative planning culture.
9. Remove the right of appeal to higher courts and generally limit the role of lawyers in the planning system by reducing opportunities for legal challenges. Make the Environment Court a Planning Tribunal again to signal that decisions will be based primarily on planning concerns, not legal interpretations.
10. Create local authority structures that help to promote good planning and to address the poor image of consent planners. All planning involves at its heart what is known as the normative planning model (see Figure 1) – a model that is essentially embedded in the RMA. Figure 1 makes it clear why the feedback loops between policy and implementation are essential to good planning. This means re-amalgamating the consent and policy sections in councils.

Figure 6.1. Normative Planning Model as a diagram

11. Get planning some sort of professional recognition that would allow the NZPI or a similar body to better regulate and correct poor practice by planners. It would also help if only qualified planners had a defined responsibility for particular planning processes, including evaluating resource consent and formulating plans. This would help to create a defined and defensible space for planners and what they can and cannot be held responsible for. Getting professional recognition may involve putting in place a registration system based on planners having consent and policy experience. Amalgamating policy and consents departments would help planners to gain both types of experience in the workplace.
12. Refresh our concept of what constitutes a modern profession. This could be done along the lines suggested by Campbell and Marshall (2005). Their idea preserves the claim to a unique body of knowledge but adds “independence of authority in transactions with clients” and a “commitment to an altruistic public service ethos” (p. 192). Interestingly, they see this independence and commitment developing within an occupational / professional association structure that would enforce standards and deal with professional and ethical breaches.
13. Create a proper career path for planners in local government. Doing so would encourage good practitioners to continue in practice rather than opting for management roles. Have planners managed by those who understand what planning is, and what it can and cannot deliver.
14. Stop politicians at all levels from making planners perpetual scapegoats. No other profession has to deal with this to the degree planners do. A Planning Ombudsman with the power to investigate complaints from the public may take some heat out of controversial plans and consents while highlighting the source of the problem. That would provide a better basis on which to start to improve the practice of planning and stop planners being perpetual scapegoats.
15. Promote planning as a career and increase the number of planning professionals so there is no excuse for employing unqualified planners. Local authorities could be directed to only employ qualified planners.
16. Do a complete evaluation of urban design, and define in the New Zealand context what its role should be.

Aspects of planning culture in New Zealand include those noted below.

- Planning culture is a product of the beliefs, practices and norms that grow out of the planner’s knowledge and work environment.
- New Zealand’s planning culture is an expression of the legislation that planners practice under, the institutions they work in, and the knowledge and skills they develop through education, continuing professional development (CPD) and work experience.
- Events in the 1990s created a perfect storm to undermine the role and status of planner.

- For New Zealand planners, this undermining of role and status has created a culture that lacks self-assurance and confidence and is risk averse.
- New Zealand's planning culture is a culture where blame and scapegoating are commonplace, where planning's professions aims are not understood, and where the voices of planners are drowned out by consultation and competition from other professions.

Part III

7. The purpose of planning in an urban planning system

This section discusses the purpose of planning in an urban planning system.

- 7.1 At its core is the creation of liveable environments. This means bringing about an environment that people enjoy and want to live in. This may seem simplistic, but New Zealand's planning legislation before the RMA had as part of its purpose:

the wise use and management of the resources, and the direction and control of the development, of a region, district, or area in such a way as will most effectively promote and safeguard the health, safety, convenience, and the economic, cultural, social, and general welfare of the people, and the amenities, of every part of the region, district, or area. (TCPA, 1977, section 4(1)).

- 7.2 In an urban context. "planning", as the RTPI recognises, "deals with spatial relationships, and competing claims to spaces"; and it deals with "how sectoral and spatial relationships affect each other" (RTPI, 2012, p. 2). The purpose of planning cited above largely encapsulates this. It adds to it the idea that planning deals with and impacts upon the natural, social and economic aspects of an urban area because it is not possible to view an urban system through a single lens. To the concept of planners mediating how different people, organisations and institutions use that space I would add recognition of the role of the environment values in creating liveable environments. This would mean that urban planning outcomes are oriented and focused on making sure urban areas are good, liveable environments. Its purpose might be broadly expressed as:

To plan for and regulate urban environments to create liveable urban areas while facilitating the economic and social welfare of its inhabitants and safeguarding the area's amenities.

Alternatively, urban planning's purpose could be based on sustainable development, though this may widen its ambit too much. Implementing sustainable development has read issues, and this may be a sign that it is too big a concept and too strongly linked to fundamental change at the national and global level to be an effective base for urban planning. To achieve this purpose, the institutions that deliver planning would also need to be changed – and the focus in planning moved from process to achieving outcomes.

8. Skills and attributes necessary for modern planning

This section discusses what skills and attributes a planner needs to have in the modern planning environment if they are to contribute effectively to the current planning profession.

- 8.1 Currently, the knowledge and skills of urban planners are primarily determined by the Educational Policies of the RTPI, PIA and the NZPI as interpreted by the academic institutions that deliver those accredited planning degrees. In the last 15 years since the National Certificate of Educational Achievement (NCEA) has been instituted in schools, I and others have noted the fragmentation of the student's knowledge of the world and how it operates. The approach to assessment based on achievements standards in NCEA militates against what might be called "joined-up thinking" about problems. While university study can address some aspects of this issue, when combined with the increasing complexity of the practice environment we may have got to the point where planning should only be offered as a postgraduate qualification. This is the case in North America, and increasingly in Europe (including Britain). This would allow a prospective planner to develop a broader knowledge base from their undergraduate degree, and would allow the degree to include such a broad base.

From that education and their early years in practice, where experience will create new knowledge and skills, I would expect an urban planner to have the following knowledge and skills.

Knowledge

- A strong fundamental knowledge and understanding of how civil society works, how it operates and the role of central and local government in effectively exercising a rule-making power that is equivalent to law making.
- A clear understanding of how an urban system works and who the various social and economic actors are in that space.
- A strong understanding of the Māori worldview and its application to urban planning and tikanga Māori.
- An understanding of the institutional structures within which planning operates, particularly the implications of operating within a politically driven system.
- A basic understanding of the economy, economic structures, and the economic base of New Zealand.
- An understanding of the impact and effects of globalisation.
- An understanding of the factors that influence the land use environment (eg, property law requirements, subdivision, and valuation).
- An understanding of the legal principles under which planning functions and knowledge of laws impinge on planning (eg, the Reserves Act and the case law that develops out of planning legislation).

Skills

- The ability to use basic statistical methods and interpret and use statistical data.
- The ability to understand spatial data as presented using geographical information systems (GIS) and other techniques and to understand where and how to use spatial data.
- The ability to writing clearly and concisely in a range of contexts.
- Interpersonal skills, including the ability to interact with politicians, developers, the public, and others.
- Mediation and negotiation skills.
- Communication skills, including the ability to consult with a range of people and groups.
- Strong analytical skills and capabilities that allow problem solving and analysis using a range of research techniques in a range of institutional settings.
- The ability to evaluate complex issues to identify the outcomes for all parts of, and participants in, an urban system.
- The ability to develop outcomes that politicians and the public accept.
- The ability to synthesise specialist knowledge and opinions to assess if the desired outcome can be achieved and, if so, what is needed to achieve it.
- Project management skills.
- Urban design skills sufficient to allow the analysis and assessment of proposals with significant design implications.
- Policy analysis skills (ie, ability to assess if a plan, rule or proposal can achieve/produce the desired outcomes).

9. Indicators/measures of planning capability in New Zealand

This section assesses the indicators or measures of planning capability in New Zealand.

- 9.1 Assessing indicators or measures of planning capability is surprisingly difficult, partly because planners work in a relatively diverse range of urban planning roles. There is also the problem that the any indicators and measurements of planning capability tend to be simple numeric measures and may not reliably measure capability. For instance, in Annual Plans and internal strategic plans the commonest measure of capability was often the overall percentage of recommendations that the Planning Committee accepted unchanged. This may signal the capability of the planners. Or it may signal an ineffective and supine committee. Or it may signal that planners make recommendations which reflect what the committee wants to hear. Conversely, in some cases challenging the planners' recommendations may be an indication that the planner is doing an excellent job. The committee may be prejudiced or have been lobbied by some persistent submitters or developers.
- 9.2 MfE's yearly Local Authority Survey can give some indication of a planner's capability in terms of, say, the percentage of consents processed in time, but again this is not a clear measure. A group of planners may be able to process all consents within the statutory timeframes because they have a large well-resourced office or because they were dealing with relatively minor consent applications (eg, tree removals rather than two windfarms and a range of other large projects). Equally, as I have noted already, the timeframes in the RMA were never tested to determine if they were realistic for medium-to-large scale projects before being included in the Act. The Planning Under a Cooperative Mandate did some assessment of a planner's capability (see Erickson *et al.*, 2003) as did Miller (2003), but both sources are now probably dated.
- 9.3 A partial measure of capability may be able to be drawn from the qualifications and continued updating of planning knowledge and skills that occurs after the planner graduates. With regard to the first measure (qualifications), this would involve assessing the percentage of planners working for local authorities and consultancies who held an accredited planning degree from a New Zealand university or who had a similar overseas qualification. While this is not a wholly reliable measurement of capability, it is a reasonable starting point. To become an accredited degree a course must demonstrate that it can achieve the educational and professional outcomes detailed in the NZPI's Education Policy. That Education Policy is produced by the profession rather than the universities, and reflects what a student needs to become a competent practitioner. Once a degree is accredited, the profession sends a team every five years to determine whether to continue the degree's accreditation. The Accreditation Panel in New Zealand is headed by a planning academic from Australia and is made up of practitioners, including a person who is competent in tikanga Māori. The Panel talks to the staff of the programme, current students, recent graduates and employers, and inspects the teaching and assessment material used in the programme. This should ensure that a programme graduate leaves with the potential to become a competent practitioner. So, the percentage employed with accredited qualifications is a starting point for measuring capability.
- 9.4 With regards to the second measure (keeping planning knowledge and skills current through CPD), this follows the requirements in other professions. A full member of the NZPI is required to undertake 25 hours a year of CPD, and the regulations are so structured that they cannot log 25 hours of reading to meet that requirement. If a member fails to meet that 25-hour requirement, then they will be given a chance to achieve it and the next year's 25 hours. If the member does not achieve that number of hours of CPD they may lose their full membership. Graduate members are required to do 15 hours of CPD a year.

While, to date, no one has lost their membership, it is an 'encouragement' for members to maintain and enhance their capabilities. The NZPI offers a suite of CPD courses aimed mainly at intermediate and graduate planners to assist in achieving CPD requirements. The annual NZPI conference and other conferences are also useful in achieving CPD hours. A measure of the number of planners actively engaged in CPD each year may provide a partial measure of capability in the profession. However, CPD budgets in local authorities are often looked upon as 'luxuries' and are the first to be cut when budget savings are called for. I have heard tales of planners recognising they have a capability deficit and wanting to address it, but not being able to get the funding to attend the required training course.

- 9.5 The only other possible measurement would be to look at the number of appeals that emerge from district plans. Again, this is a rather fraught measurement as these appeals do not always reflect the capability of the planner. Instead, they may reflect battles for contested resources such as land for high-density housing. I did a literature search in an attempt to locate some relevant literature, but without success. Perhaps this highlights that this area is not attractive to research because of the difficulties of developing any meaningful measurements.

10. Capability gaps and issues within the New Zealand planning system

This section examines the capability gaps and issues (such as plan writing and management) within the New Zealand planning system.

- 10.1 This section is very much a product of my reading of current district plans and the problems I see with them. A district plan should function with the minimum of disputes and delays, and achieve outcomes that meet the needs of the community it serves. A district plan should help to create good living environments for all. To achieve this, the planner and other 'expert users' (eg, architects and surveyors) must be able to use the plan. The average person should also be able to understand it. These two requirements impose quite a burden on planners and how they write plans. Planning is the only profession that, in effect, has to write for two different audiences in a single document. Despite this requirement, district plans seem to have become larger and more complex – often for no clear reason.

While I'd expect the Auckland Unitary Plan to be large and complex, I don't think the need is the same in, say, the country's provincial cities for plans to have expanded as much as they have. To an outsider, the Auckland Unitary Plan seems almost unintelligible, with its layering of zones, precincts and sub-precincts. Perhaps this reflects its attempt to please as many people as possible. The constant amending of the RMA and attempts to focus it on single issues (such as urban growth or housing) also create a constantly uncertain environment in which to write and administer a plan. When we were writing the first RMA district plan for Palmerston North, we had almost completed a draft of a plan when an RMA amendment introduced restricted/limited discretionary activities. As a result, we had to revise the plan to try to use this new activity class. Constantly amended plans quickly lose their internal coherence.

- 10.2 Some of the problems arise from a planner's concern that if they omit anything they will be found incompetent in some appeal process. As a result, plans have become more complex as planners and politicians use a worst-case scenario approach (ie, they write rules for the rare time when the maximum control needs to be exercised over an activity). This means that, for much of the time, the rule may be excessive in its requirements. This has seen many activities that were formerly permitted or controlled, become restricted discretionary or discretionary activities. The prohibited activity category, which should be used sparingly for natural hazards and hazardous substances, is being used to specifically exclude activities.

This same concern about being found incompetent at some later point also leads to the use of advice notes. This adds to a district plan a great deal of material that has nothing to do with the plan's outcomes. Plans were never intended to be the fount of all knowledge, but that is how they are often written. Given the consent/policy split, I have heard tales of plans being written that are difficult to explain and use because the planner writing them had no implementation experience. The first Christchurch RMA district plan, written with the assistance of MfE to become a model for all others, was reputedly difficult to administer. In terms of this issue, it is interesting to note that consultancies have never instituted an implementation/policy split in their offices. This means that while a planner may eventually specialise in one area, they need experience in all aspects of consent and plan writing work to become good consultants.

- 10.3 There have always been 'fashions' in plan writing. For example, the first urban areas developed under RMA district plans addressed biodiversity as that was the fashionable issue or concern of the time. These fashions are not a problem as long as the planners can accurately determine when and where it is appropriate to include them in a plan. This judgement sometimes seems to be lacking. The other major change in district plans is the use of urban design or design and appearance controls in residential zones. Often these urban design requirements also move a residential development from a

permitted activity to an activity that requires a resource consent, which has financial and time-cost implications.

- 10.4 A planner's ability to write simpler and more concise plans is being eroded as younger planners replace older planners who had more experience in this sphere. Often the younger planners are in senior positions, but lack the depth of experience in plan writing. Overall, we probably insufficient train planners in plan writing skills after their university studies are complete. Such training is needed at that time, which is why we have CPD. You cannot teach some knowledge until the person has had some practical experience. Given that good practitioners frequently go into a management role, their plan writing knowledge, skills and experience go with them rather than being applied to the next plan/plan change.

In my practice life, I was involved in reviewing and writing two district schemes under the TCPA and one under the RMA. I achieved that amount of experience because district schemes had a life of 5 years compared with the 10-year life of RMA district plans. A 10-year planning horizon is very long, which means that in that period the plan will be subject to a number of plan changes to ensure it keeps up to date with changes in town or city to which the plan applies. Given the huge cost of writing these plans and local authority fiscal constraints, district plans are now often subject to sectional or rolling reviews. This means that only one zone or part of a plan will be reviewed, with the review of the plan being spread over a number of years. While this approach has pluses and minuses, it does mean that plans can become fragmented and the planners working on them may never get an opportunity to look at the plan as a whole. Given planning deals with 'wicked' problems, the actual consequence of modifying part of a plan may be overlooked if it is dealt with in this manner.

- 10.5 The consents area has similar problems. A good planner who is capable of doing good consent work needs to have confidence in their abilities and experience. Their experience needs to be diverse and to have covered everything from basics to major development with multiple parties and potential effects. While this type of experience can be gained in many cases, consent planners deal with only low-level consents. Complex cases are contracted out to a consultant. This contracting out is a part of the risk-averse approach that has grown up in the planning area. Planners, managers and politicians do not want to be seen to have done anything wrong. Alternatively, they decide the community does not trust the staff to operate neutrally when dealing with a controversial resource consent. So the consultant may be brought in as a neutral agent and to ensure the blame does not settle on the council.

The concern about the neutrality of planners does have some foundation, as the planning system is now expected to be open and facilitatory. That means a consent planner is expected to work with an applicant before the applicant lodges their application. So, the planners, even if not actively involved in this process, are seen to have a conflict of interest. Given submitters are unlikely to get this degree of assistance from planning staff, they have reason to be suspicious. Further, the issues with regional economic growth, or lack thereof, means local authority politicians are always eager to attract development, often at any cost. Some may put planners under great pressure to 'find a way' to get an application granted. Taken with the downgrading of the role of consent planner, it is evident why capability in this area may be highly variable.

- 10.6 The other capability issue arises from the way planners are managed. Except in very large authorities, most planners are managed by non-planners (often in a large, non-planning focused unit). This can lead to pressure to 'find a solution', unrealistic timeframes for doing planning tasks and the under-resourcing of planning functions. Planning, as a service function, is often part of reforms to create that elusive effective and efficient structure which will deliver more for less.

Pressure is also placed on the consent area to ensure costs are recovered. That pressure creates friction with users of the planning system, with the planner bearing the brunt of the users' annoyance. This can lead an applicant who is meeting the cost of their application to feel they should receive more assistance from the council planners given they have paid for that service. Again this causes friction, with submitters who are not charged for their participation at the council level. The solution to under-resourcing is to contract in help when needed. The problem with doing this is that, as senior planners have told me, the consultant still has to be managed or assisted, often gets to do the cream of the work, and then leaves with the experience in dealing with a complex issue.

- 10.7 The creation of the Environmental Protection Authority (EPA) in 2009 has meant that proposals of national significance and some of regional significance can be effectively removed for local authorities

to process such proposals under the EPA instead. The EPA's processes tend to be more oriented to Environment Court processes, which tend to enhance the role of lawyers and technical experts. Given that most proposals of national significance tend to be large infrastructural projects, consents planners are not getting the learning and professional opportunities that come from dealing with such large projects.

- 10.8 One area with a definite loss of capability is in the planner as an expert evaluative witness. Planners of my generation all presented reports to council hearing committees and expected at some point to end up at the Planning Tribunal/Environment Court. Relatively few cases were settled using consent orders negotiated before the hearing. Planners commonly negotiated those consent orders. Negotiating such orders and appearing as an expert witness was something that was normal in my generation of planners. Participating in an appeal, while stressful, sharpened your practice skills, as you had to defend your professional opinion under cross-examination from lawyers, the judge and members of the Planning Tribunal or Environment Court. However, as discussed above, a planner's role in appeals and even hearings has changed significantly. If a hearing occurs the planner's evidence is crowded out by the evidence of other experts, none of whom provide the wider oversight that a planner brings. The delegation of decision making to senior officers also seems to have the potential to reinforce good or bad practice within a particular planning team.

At the Environment Court there has been a push to resolve appeals through mediation. I have directly experienced one such mediation. The move to a mediation approach, with a member of the Environment Court conducting the mediation, was introduced again to speed up the process and make the appeal process less costly. No records are kept of what happens in mediation, and those who participate are not allowed to speak of their experiences. This does make it a rather Star Chamber process and a difficult process to research and evaluate. Also, the process seems to have the potential for uneven and pressured outcomes, given participants can use lawyers. The planner's role as an expert evaluator in the process is certainly diminished.

- 10.9 Finally, the academic planning area lacks capacity to undertake research that focuses on the practice of planning in New Zealand. Since the long-running FORST PUCM⁸ project finished, planning practice research has received no direct funding other than for some work that MfE did in the early 2000s. While there has been some limited work in this area, the academic planning community is small and under pressure to publish through avenues that recognise the Performance Based Research Fund rankings. One example is a peer-reviewed article in a refereed journal. Articles with a New Zealand focus fight to get into overseas refereed journals, which often leads to an article with a comparative angle being the focus of publishing. If the few articles published about the New Zealand practice environment have any value to the profession, accessing them can be difficult as they are usually only found in university libraries. *Planning Quarterly*, the NZPI's journal is one outlet for New Zealand research and, while refereed, it only takes articles of 1 500 words or less. This tends to dissuade academics from writing for it, which cuts off an information stream that could exist between academic and practising planners. The NZPI conference is another outlet for academic research, and is used as such, but many academics with limited research funds may not choose to attend a relatively expensive professional conference unless they need to achieve CPD hours. There is also room for some useful research in the practice environment if funding becomes available.

11. Emerging issues of planning methods

This section discusses emerging issues or planning methods that will require planners develop new skills and capabilities. It also discusses the best arrangements for meeting these new skill requirements.

- 11.1 Predicting the future of planning in New Zealand is difficult given that the RMA is still in place. Even if it was replaced by more urban-focused legislation, this would take some years to be put in place.
- 11.2 However, if the alternative legislation was put in place, it would need to be accompanied by much more training than was provided when the RMA came into existence. More resources and assistance with plan writing and consent management would be needed to achieve a more consistent system than emerged under the RMA. Yet new legislation would open the opportunity to look at methods not

⁸ FORST refers to Foundation of Research, Science and Technology, and PUCM refers to planning under co-operative mandates.

currently used in plans. While section 24 has always made investigating the use of economic instruments one of MfE's roles under the RMA, MfE has made few attempts to undertake that investigation. As such, economic instruments rarely feature in plans despite the fact that they have great potential. Instead, we fall back on using suasive instruments such as educating the public and ignoring the fact numerous examples demonstrate why suasive instruments are not successful over the long term. If education was an effective, reliable, long-term method, then no one would smoke, no one would over-indulge in alcohol and no one would be obese. I use health examples because they demonstrate that even when dealing with life and death issues, we do not consistently follow the beneficial advice offered. But if we start to use new economic-based instruments, we will need resources to educate planners on how to use them and use them well.

- 11.3 New legislation or even a re-appraisal of the RMA could and should return the focus of planning to achieving agreed/desired outcomes, rather than being primarily focused on processes. Planners acculturated to a planning system dominated process would need some re-training. Councillors, commissioners and other decision makers may also need similar re-training.
- 11.4 In the medium term, we should see a change in how private transport is provided if and when fuel supplies reduce and prices rise, with a move to electric cars and driverless cars and more use of public transport. Driverless cars are likely to take some time to gain wide acceptance and prove their worth in real traffic. Also, they will involve significant shifts in how land use planning and transport interact in an urban setting. Those shifts will require planners to be involved in different and more spatially driven planning. Alongside that, urban planning (in Auckland and other larger cities) will need to focus on how to create more liveable higher-density living environments. Yet again, this will involve acquiring new knowledge and skills.
- 11.5 As with other areas, changes in technology may bring changes to planning. However, it is not immediately clear what the effects will be and if these effects will require any specific training/education response. A more technically orientated population as a whole also helps in this regard.

12. Measures and initiatives that could fill the capability gaps

- 12.1 In addressing this final question I have drawn on the work of a group of concerned senior planning practitioners (working through the NZPI) in 2011/2012. The group was led by Dr Lee Beattie, a former practitioner, NZPI councillor and still-active commissioner of the Auckland University Planning Programme. The two other main members of the group were me (then a NZPI councillor) and Jan Crawford, a planning consultant and currently a hearings commissioner for the Auckland Unitary Plan. The group also involved about 20 other practitioner from throughout the country. The group started the State of Planning Project to address concerns about the status of planning, the loss of planning leadership in urban areas to other professionals (such as urban designers and architects), the competence of planners in practice, and the direction planning was taking. The project started looking at how planning was defined, with the idea that a new definition was needed. This issue and how professional membership was achieved was discussed at the 2012 NZPI Conference in Blenheim. However, while the project seemed to be gathering some support and had got the profession talking about their future, the NZPI gradually became reluctant to continue the process and the project was abandoned. Some of its preliminary work has been useful for informing this report.
- 12.2 Central to addressing the capability gaps discussed above lies in reviving and renewing the planning profession. As the professional body, the NZPI would need to be at the core of this process and could start by formulating a clear position statement or policy on what 'planning' is. This is a starting point in determining the core competencies planners need to be capable urban planning practitioners. To be effective, such a position statement or policy needs to articulate a robust process that ensures only those planners who can demonstrate these competencies are recognised as planners and able to undertake higher-level planning work (eg, assessing resource consents or writing plan provisions). Recognising a planner's competencies requires some form of registration of planners. That system would involve the NZPI and/or a statutory board becoming the gatekeepers for the system. An integral and central aspect of this entire process is that a person can only call themselves a planner and be employed in such a role if they demonstrate that they have completed a planning qualification assessed as adequate by a professional planning body in New Zealand or overseas.

- 12.3 Thought should be given to accepting that planning education cannot turn out a planning graduate who is able, immediately and with minimum support, to undertake the full gamut of planning tasks. One option would be to introduce courses that a new graduate would complete either before they start practice or in their first year(s) in practice and while operating as planning assistants. Both approaches would provide the bridge to full professional practice. The New Zealand Law Society uses courses (or 'professionals') before admitting solicitors to practice, while the New Zealand Institute of Surveyors uses the second approach.
- 12.4 Those who are experienced planners also need to commit to ongoing CPD at a level that allows them to be confirmed as competent planners. This could involve a mid-career educational course which also involves some assessment (ie, you do not pass simply by attending the course). Alternatively, it might involve some high-level assessment of a practitioner's work through a portfolio system. This would be highly controversial, but it is the only way to try to lift the quality of planning performance. Other professions, such as architects and engineers, require regular assessment of their members' performance using a portfolio system. Equally, poor practitioners must be identified and assisted to improve their performance within a specified period. I think the NZPI (as the professional body) may be reluctant to do this and, as such, a Planning Competence Board may need to be set up to deal with these issues. The aim should always be to re-train/re-educate planners to achieve better performance.
- 12.5 Whether new legislation or only new techniques are introduced, planners need reliable and up-to-date resources to draw on. Ideally, they also need a neutral planning practice support system so that if a planner is working for a smaller authority, with no senior practitioner to draw on, they still have somewhere to go to get answers to their questions. The LGNZ website would be a starting point if it was staffed by a competent practitioner rather than being what a former colleague would call "a jamboree of the uninformed". To use economic instruments would mean educating planners to a high level. Many planners have a limited background in economics. As such, a planner may not be willing to adopt economic instruments if they do not understand how they work. Essentially, the planning profession needs a cascade of new material with new planning ideas to help invigorate both the profession and the individuals working in it to look to new ways of doing things.
- 12.6 Finally, planning educators at universities may need to consider if planning should now be taught only at postgraduate level, or whether the undergraduate degrees can still turn out educated planners who are also competent practitioners. The problem is that changing the structure of an academic degree takes about 3 years, even if everything is done as quickly as possible. This is because of the rather labyrinthine process that the Committee on Academic University Programmes follows, which opens up any significant change to a degree to comment by every university in New Zealand. Equally, the Tertiary Education Commission's requirements means that all postgraduate degrees (even conversion masters within which the master's degree in planning falls), have at least 60 credits of the 240 credits (for a 2-year master's degree) as a research component. This seems to be somewhat at odds with a conversion degree and makes any move to a 180-credit qualification a potential disaster, as it would reduce the planning content significantly. Discussions with overseas colleagues also suggest that a 180-credit, one-year degree is very condensed. This short timeframe makes it difficult to turn out a well-rounded practitioner. With any conversion masters the hardest issue is to ensure that in two years they can accumulate the knowledge and skills achieved in an undergraduate degree over four years. So while a master's degree solves the issue of maturity and general New Zealand and world knowledge, its ability to ensure sufficient planning content is more limited.

Conclusion

Clearly, New Zealand planning faces a complex working environment with multiple 'wicked' problems and is underpinned by a professional culture of constant challenge and little recognition. As I hope I have demonstrated, this planning culture (and its consequence for the capability of planners) emerged over a long period. Changing or improving that planning culture will take at least as much time. However, the sooner we start the sooner things might improve.

References

- Batty, M. (2014). Great Planning Disasters. In Tewdwr-Jones, M., Phelps, N., & Freestone, R. *The Planning Imagination: Peter Hall and the Study of Urban and Regional Planning*. London, United Kingdom: Routledge.
- Campbell, H., & Henneberry, J. (2005). Planning Obligations, the market orientation of planning and planning professionalism. *Journal of Property Research*, 22 (1), 37–59.
- Campbell, H., & Marshall, R. (2005). Professionalism and planning in Britain. *Town Planning Review*, 76 (2), 191–204.
- Davoudi, S., & Pendlebury, J. (2010). The evolution of planning as an academic discipline, *Town Planning Review*, 81 (6), 613–645.
- Ericksen, N., Berke, P., Crawford, J., & Dixon, J. (2003). *Planning for Sustainability: New Zealand Under the RMA*. Hamilton: International Global Change Institute (IGCI), University of Waikato.
- Gunder, M. (2010). Commentary: Is Urban Design Still Urban Planning? An Exploration and Response. *Journal of Planning Education and Research*, 31 (2), 184–195.
- Hall, P. (1996). *Cities of Tomorrow: An Intellectual History of Urban Planning and Design in the Twentieth Century*. London, United Kingdom: Blackwell.
- Jay, M. (1999). Does practice make Perfect? Debate about Principles versus Practice in New Zealand Local government Planning. *Planning Practice and Research*, 14 (4), 467–479.
- Keller, D., Koch, M., & Selle, K. (2010). Either/or' and 'and': first impressions of a journey into the planning cultures of four countries, *Planning Perspectives*, 11 (1), 41–54.
- Knudsen, T. (1988). International influences and professional rivalry in early Danish planning, *Planning Perspectives*, 3, 297–310.
- March, A. (2007). Institutional Impediments to Planning Professionalism in Victoria, Australia. *International Planning Studies*, 12 (4), 367–389.
- Miller, C.L. (2003). Measuring Quality: The New Zealand Experience, *Built Environment*, 29 (4), 336-342.
- Miller, C.L. (2006). Facing our Recruitment / Retention Issues: The Pathway Forward, Presentation to New Zealand Planning Institute/Planning Institute of Australia.
- Miller, C.L. (2007). *The Unsung Profession; A History of the New Zealand Planning Institute 1946-2002*, Dunmore Press, Wellington.
- Miller, C.L. (2011). Judicial Review in the New Zealand Planning System, 1926 -1977, *Planning Perspectives*, 26 (3), 445-464.
- Miller, C.L. (2013). When is a Planner a Planner?, *Planning Quarterly*, 190, 17-18.
- Miller, C.L., & McDonald, G. (2005). Positive Mentoring, Presentation to New Zealand Planning Institute Conference, *Pushing The Boundaries*, Auckland 24-29 April, 2005.
- Robbins, E. (2013). New Urbanism, in El-Khoury, R., & Robbins, E. *Shaping the City: Studies in History, Theory and Urban Design*. London, United Kingdom: Routledge.
- Sandercock, L. (Ed.). (1998). *Making the Invisible Visible: A Multicultural Planning History*. [city], California, United States: University of California Press.

Steele, W. (2007). Where is the Vision? Critically exploring the professional role of the Australian urban planner within a governance framework. Paper presented to the State of Australian Cities Conference, 2007. Adelaide, 28–30 November.

Taylor, Z. (2013). Rethinking planning culture: a new institutional approach. *Town Planning Review*, 84 (6), 683–702.

Appendix 1

NZPI's definition of planning

Planning is a continuing, comprehensive process which involves the formulation, implementation and review of iwi management plans, public and corporate policies and proposals on local, regional and national, levels concerning:

- land, water and air resources
- social, economic and cultural development
- the management of the natural and modified environment.

PIA's definition of planning

Planning is the process of making decisions to guide future action. The planning profession (which is also referred to as 'urban planning' or 'town planning') is specifically concerned with shaping cities, towns and regions by managing development, infrastructure and services.

RTPI's definition of planning

Planning involves twin activities – the management of the competing uses for space, and the making of places that are valued and have identity. Spatial planning is concerned with the location and quality of social, economic and environmental change.

Tag line is Mediation of space:making of place

Scottish Government's definition of planning

Planning, also called urban planning or city and regional planning, is a dynamic profession that works to improve the welfare of people and their communities by creating more convenient, equitable, healthful, efficient, and attractive places for present and future generations.