

DOES PRACTICE MAKE PERFECT?
DEBATE ABOUT PRINCIPLES V. PRACTICE IN NEW ZEALAND LOCAL
GOVERNMENT PLANNING

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Abstract

Legislation and practice are two arms of public policy planning. Legislation empowers or enables; practice is the articulation and implementation of legislative principle. In New Zealand there has been widespread debate in recent years about the relative importance of practice versus legislation in achieving planning outcomes under its key planning legislation, the Resource Management Act 1991.

This paper proposes that the effectiveness and efficiency of planning practice may depend on a range of factors, some of which are beyond the control of planners, and outside of legislation. They include political priorities and the countervailing administrative responsibilities of the public agencies involved.

Local government, as the agency in New Zealand which administers the Resource Management Act at local levels, is subject to a number of structural factors which may influence planning responsibilities and political and administrative commitment to those responsibilities. A survey of district council planning officers was conducted which showed great variation in the levels of work and the nature of the tasks that were assigned to planning departments within different councils. The paper concludes that the range of factors which may limit the ability of planners to implement the

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policies intended by legislation (in this case, the principles of the Resource Management Act), include both matters of practice, and contextual factors which are largely outside and beyond the control of planners.

Introduction

This article explores the gap that may arise between planning aims and intentions, as enshrined in legislation, and the contextual realities of planning at local levels of government. These contextual realities impact on the actions of planners on a day-to-day basis by influencing the nature and flow of work with which they have to deal, and the level of staff and other resources that are available for dealing with the work.

The context of this exploration was the administration of district level plans under New Zealand's Resource Management Act 1991 (hereafter referred to as the RMA).

In this article, I do not intend to look at the issue of plan preparation, but at plan implementation. Plan implementation, which in New Zealand occurs largely, (but not exclusively) through direction of private sector development at local and regional levels, is an important factor determining the extent to which planning achieves its public policy objectives. Although plan preparation and the quality of plans is equally important for assessing the extent to which planning practice achieves planning objectives (as enshrined in legislative principle), this area of study has been the subject of research in New Zealand by a number of investigators (Dixon et al, 1997; Berke, 1994; Frieder, 1998; May et al, 1996). Some of these researchers specifically mention the problem of variable administrative practice (for example, Dixon et al, 1997; May, 1997).

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The focus on district level planning practice, as opposed to regional planning, was because it is this level of planning which has aroused most public controversy to date. The research reported within this paper includes results of a survey of local council (i.e. city and district council) planning departments conducted over the summer of 1997/98. The research involved a short questionnaire survey of the development control/resource consent managers of all 74 district councils¹ in New Zealand. 64 replies were received giving an 86% rate of return.

Together with information from other sources, it is possible to construct a deeper understanding of how and why planning practice may fail to meet the expectations of politicians and the public, and why it may fail to achieve legislative objectives.

The Resource Management Act and its Critics

The RMA is in many respects an unusual piece of planning legislation. In principle, it has allowed an integrated and comprehensive consideration of the environmental effects of development proposals by bringing together under one legislative umbrella previous the law relating to town and country planning, water and soil protection, and air quality. It has "sustainable management of natural and physical resources" (Section 5, RMA, 1991) as a clearly articulated purpose. 'Sustainable management' is defined as "managing the use, development , and protection of natural and physical resources . . . while -

¹ District councils include cities, districts, and "unitary authorities", and all these forms are "local" in the sense that they are responsible for community services, including sewage, water, parks and reserves, streets, etc. "Regional" councils, have a different array of functions under New Zealand's Local Government Act.

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment."

The Act requires a focus on the effects of development rather than the nature or scale of development (zones in plans are related to the types of effects generated by activities, rather than types of uses). Social and economic matters are removed from consideration. This exclusion of social and economic matters has been recently emphasised and reinforced by recently proposed amendments to the Act (Upton 1998).

The Act's focus on the biophysical effects of development to the exclusion of social and economic matters was in keeping with the market-oriented philosophies which prevailed in New Zealand central government circles at the time it was drafted (Memon, 1993 :93-94; Buhrs and Bartlett 1993: 113 - 134). The Act thus mandates minimal exercise of control over the nature or scale of resource uses, provided that detrimental effects on the biophysical environment are avoided, remedied, or mitigated.

Despite its legislative rationalism and the strong influence of economic libertarians in the creation of its final form, public criticism of the Act has grown in recent years and it has recently come under political and legislative review. Much of this debate has

centred around the question of practice versus statutory policies and principle. While critics have argued that it is the Act itself which is defective, others argue that the Act is fundamentally enabling in its structure, and that any problems associated with it are due to poor plan preparation or poor administrative practice on the part of the administering agencies. (Church, 1996; Upton 1997:33). Much of the criticism of the Act is levelled by development interests and representatives of industry. (N Z Herald, 1998; Business Herald, 1998). A typical example is the comment by Planning Manager of BOMA NZ (Building Owners and Managers Association of New Zealand) who argues that *"complying with legislation such as the RMA and the Building Act is costing the commercial property and development industry both in dollars and in development opportunity."* (Crow 1997: 26) A scathing criticism of the Act and its implementation was published by development representative and key critic Owen McShane. Among the examples of poor planning practice cited by McShane were "excessive" regulation of use of land; timidity and caution on the part of councils in relation to their assessment of development proposals, particularly in the face of new initiatives; inconsistencies in the interpretation and administration of the Act; the administrative monopoly which councils enjoy in implementation of the Act; lengthy time delays in development consent processing by local councils; over-zealous judgements of detrimental environmental effects; and the imposition of unfair costs on private developers, ostensibly for public good. (McShane, 1998).

The environmental requirements of the Act have imposed significant extra costs on developers which did not arise under previous legislation, or not to the same degree. These costs include the cost of designing developments to higher environmental

performance standards, the cost of undertaking and providing evidence for an assessment of environmental effects, and 'user pays' costs which councils may recover for assessing and processing development applications. These costs may be significantly increased if there are delays in the processing of a development application due to public consultation procedures. Thus it is hardly surprising to find that business and industry have voiced criticism of the provisions of the Act, especially where they feel that local government administration is to blame.

Professional and academic criticism of the Act has been equally strong. Frieder has criticised implementation of the Act in the following terms: "Implementation does not appear to be progressing as it was envisioned, in an integrated fashion and by employing a range of policy mechanisms. Instead, economic decisions are made without consideration of environmental impacts and the quality of the environment is treated as a second tier policy objective after customer service delivery and economic efficiency. Maori values and concerns are not successfully incorporated into implementation programs and state-of-environment monitoring, a cornerstone of an effects-based framework, is still not a management priority." (1998:19). She sums up the barriers to implementation of the Act as: lack of advocacy for a strong environmental vision; inadequate data and monitoring; inexperience with the essentials of fair process; reliance on a system of accountabilities that favours outputs over outcomes; lack of resources to implement the Act as it was envisioned; and an unusual cultural relationship with "change" that permits macro changes while resisting micro changes. In other words, New Zealanders seem to accept radical changes in

laws, institutions or organisational structures, but refuse to look at changing their own attitudes, behaviour or norms (Frieder 1998:20) .

Barton has argued that “There is too much emphasis on procedures, not enough on outcomes.” (1998:456), and that effects-based planning, "has led to an explosion of legal wrangling as the uncertainties in the complex web of the environment are exploited by development interests and by lawyers seeking to prove that one particular development will not breach critical thresholds" (Barton 1998:457).

Dixon et al note that "The practice of administration of resource consents (development applications) has been quite variable, even in the metropolitan councils with decades of statutory experience." (Dixon et al. 1997). They have noted problems resulting from repeated organisational restructuring of local government and problems of integration and co-operation between different planning agencies.

Gleeson and Grundy (Gleeson and Grundy 1997:293-313) have noted problems related to inconsistencies of approach to similar issues by different planning agencies, lack of integration between planning agencies in the way they deal with planning issues, problems of transparency, accountability and social equity in the processing of development applications, increased transaction costs for small developers in relation to the process of applying for development consents, and costs/disincentives for the public in relation to submissions opposing development proposals.

Planners have thus been subjected to criticism from all directions in relation to RMA implementation: they favour the developers, they obstruct the developers; they are unduly cautious in relation to legislative intent, they are not cautious enough; they are administratively cautious; they are administratively cavalier; they are environmentally conservative, they are not conservative enough.

Planning practice within New Zealand local government

All proposals for the use, development or protection of land, air and water come within the ambit of the RMA (Environment 1998). Depending on the nature and scale of the proposal, a development application (known as a 'resource consent') may or may not involve a political process of public hearing and decision-making by council. If the proposal is minor in scale or allowed by the plan, it may be processed entirely by planning staff. If it does not comply with a plan or involves issues that are contentious, it may be subjected to public notification and the requirement for a public hearing. (Environment 1994). Statutory time frames apply to each stage of the development process. Significantly different time frames apply depending on whether or not a development proposal requires public notification. If the proposal is deemed (by planners) to have no significant detrimental environmental effects, the statutory time frame is 20 working days. If it requires public notification and the opportunity for members of the public to make submissions, the process takes a minimum of 70 working days. This difference means that development applicants are often anxious to by-pass the public notification process, particularly as they also become subject to the uncertainty of public objection and opposition.

Planners may be subject to pressure: if they err on the side of public notification, they receive criticism from developers; if they err on the side of developers, they may be criticised by the public or make decisions which are contrary to the stated principles of the Act.

Within most district and regional councils, implementation of the Resource Management Act takes place in a department or unit of the council that has specific responsibility for overseeing the processing of development applications. Sometimes the responsibilities of this unit are limited to development administration; sometimes they include a range of other responsibilities. The capacity of a planning department to deal effectively with its administrative responsibilities depends on a variety of factors, including the match between the nature and scale of the workload and the number and qualifications of staff. Staff skills and judgement are critical for deciding whether a resource consent application must be publicly notified or receive a hearing by the council, and they are critical for the efficiency and consistency with which development proposals are processed. Development proposals may vary in scale from works of no more than a few hundred thousand dollars worth, to ones that involve many millions of dollars and great technological or environmental complexity. Staff planners need to be able to assess whether the proposal provides sufficient information for accurate assessment of its environmental effects, and they need to know where to obtain such assessments inside or outside of council.

Local Government Planning and 'Workload' Responsibilities

The processing of development applications for landuse and subdivision is the key work task of most district administrative planning departments in New Zealand. The

assessment of planning practice is often judged on the basis of the number of applications dealt with and within specified timeframes. These provide a quantitative measure for administrators and are also a means by which outside interests can judge the efficiency and importance of planners. But development applications are usually only a small proportion of the work load of an office. While the corporate annual report may record the number and timeliness of official responsibilities (such as development applications, council hearings, and the like), they seldom note daily enquiries for information, or time consuming meetings with prospective developers **before** the application stage. And yet it is frequently the quality of informal interaction which planners have with the public that helps to generate public understanding of planning objectives and a climate of public trust in the development process. If planners can spend time courteously and politely responding to enquiries, they may avoid future misunderstandings on the part of the public or prospective developers. Thus many planners feel obliged to spend time on the informal work while knowing that they are often judged on the formal, recorded "outputs" that appear on the annual report and job performance reviews.

This survey of local council planners was intended to identify some of the pressures which may affect the capacity of planners to perform their formally recognised administrative tasks, by focusing specifically on a type of task which is not often officially noted, namely general planning enquiries. General enquiries may range from casual requests over the phone or over the office counter, for information that can be answered on the spot, to requests that may take perhaps an hour or more of patient explanation and suggestion to a prospective applicant. Enquiries do not

represent the total workload of a department, but it seems reasonable to suppose that they might represent an indicator of variations in the nature and scale of more formally recognised planning tasks (for example, variations in daily or seasonal workloads, and variations between councils).

A limitation on the research stems from the fact that it involved a postal questionnaire, sent shortly before the Christmas break (i.e. the New Zealand university summer vacation). Because the survey relied on a self-administered questionnaire at a time when New Zealand planners are generally very busy (because many applicants wish to get their applications completed before the Christmas break), it could not ask for extensive or complex information. Because of the limitations of a postal questionnaire, it was not possible to obtain information that would provide a precise estimate of the total workload experienced by planning staff, or the variation in the quality and extent of staffing resources available to process development applications. However, the results did provide a very clear indication of the variation among district council planning agencies in terms of work responsibilities, staffing resources, and the ebb and flow of work pressures.

Table 1. Average number of planning inquiries per planner per day

	Busy Day	Slow Day	Av. No. Full-time	Inquiries/ staff member - Busy	Inquiries/ staff member - Slow
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			Staff	Day	Day
City Councils	139	71	25.2	5.5	2.8
District Councils	31	12	4.6	6.7	2.6
Unitary Auth'ties	50	30	10.7	4.7	2.8
All	56	26.4	9.1	6.2	2.9

Table 1 shows the average number of inquiries on a busy day and a slow day, and the average number of staff that different types of council planning departments employ.

Table 1 also shows that districts (generally smaller, less urban councils) experience greater variation between busy and slow days than cities, and that the number of inquiries per staff is more variable. This suggests that development applications are more likely to experience workload blockages (as a consequence of other work getting in the way) from district councils than city councils.

An estimate of council planning workloads that records more formal planning tasks has been published by the Ministry for the Environment (Environment 1998). It shows a range of information representing the administrative work outputs of district councils, including the number of land subdivision consents, land use consents and building consents, the number and proportion of applications that required public notification, and the number and proportion of consents that involved a public hearing. As with the survey for this paper, the figures show wide variation between different councils. For example, in relation to building consents the number ranged

from 96 for one council to 3902 for another, and relation to land use applications the number ranged from 3 to 1647).

Responsibilities and Functions of Local Government Planning Departments

A wide range of regulatory functions are frequently associated with district council planning departments. Although in larger councils, regulatory planning may be a distinct unit, this is not the case in the smaller councils, where it is often associated with other functions such as animal control (dogs and stock), environmental health, building safety, fencing of swimming pools, liquor, dangerous goods, noise control and Civil Defence. Table 2 illustrates this variation in responsibilities.

Table 2 Functions of planning units other than development control

	All Councils		City Councils		District Councils		Unitary Authorities	
	No.	%	No.	%	No.	%	No.	%
Compliance monitoring	55	85.9	11	84.6	41	85.4	3	100
Enforcement	48	75.0	10	76.9	36	75.0	2	66.7
Building applications	31	48.4	5	38.5	24	50.0	2	66.7
Env'l/ Public Health	21	32.8	2	15.4	18	37.5	1	33.3
District Plans	20	31.3	4	30.8	16	33.3	0	0.0
Liquor Licensing	17	26.6	1	7.6	16	33.3	0	0.0
Dog control	14	21.9	0	0.0	13	27.1	1	33.3
Land Information	12	18.8	2	15.4	10	20.8	0	0.0
Policy Development	10	15.6	1	7.6	9	18.8	0	0.0

Wandering Stock	9	14.1	0	0.0	9	18.8	0	0.0
State of Environment reporting	8	12.5	1	7.6	6	12.5	1	33.3
Dangerous Goods	7	10.9	0	0.0	7	14.6	0	0.0
Parking	6	9.4	0	0.0	5	10.4	1	33.3
Noise	6	9.4	1	7.6	4	8.3	0	0.0
Civil Defence	5	7.8	0	0.0	5	10.4	0	0.0
Strategic Planning	4	6.3	1	7.6	3	6.3	0	0.0
Street Names/ Numbers	4	6.3	1	7.6	3	6.3	0	0.0
Rural Fires/ Emergency	4	6.3	0	0.0	4	8.3	0	0.0
Bylaws	4	6.3	1	7.6	3	6.3	0	0.0
Advice	2	3.1	0	0.0	2	4.2	0	0.0
Education	2	3.1	0	0.0	2	4.2	0	0.0
Consultation with Maori	2	3.1	0	0.0	2	4.2	0	0.0
Litter	2	3.1	0	0.0	2	4.2	0	0.0
Spillages	2	3.1	0	0.0	2	4.2	0	0.0
Swimming Pools	2	3.1	0	0.0	2	4.2	0	0.0
Other	9	14.1	3	22.8	5	10.4	1	33.3

Other than developmental control, the most common functions of planning offices are development compliance monitoring, to check that development applicants comply with conditions of consent, (85.9 percent of all respondents), and enforcement (75.0 percent). Over a third of the city respondents, half of the district respondents and two

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thirds of the unitary authorities had some input into building consents. This ranged from checking consents for compliance with the district plan, to processing the whole application.

Around a third of each of the city and district council respondents had input to their city or district plan (i.e. policy development). This varied in scale from writing the plan to making suggestions based on experiences under existing plans as to what works or does not work in that district.

Only 8 of the 64 departments were involved in State of the Environment reporting and only two reported that they were responsible for consultation with Maori. Given that both State of the Environment reporting and consultation with Maori receive high statutory backing in the RMA, this lack of involvement by departments of planning administration is regrettable. It suggests that administrative planning departments are removed from two important components of the Act.

Conversely the variety of non-RMA responsibilities allocated to administrative planning departments is also cause for concern because it may prevent planners from giving due professional attention to wider, non-regulatory aspects of RMA planning, (such as public education of planning policies and procedures) and it may conflict with development consent processes. The planning procedures of the RMA are subject to tight timeframes. It may not be possible for planning staff to keep to the statutory timeframes if other responsibilities intervene. Many of the alternative responsibilities may be urgent or impossible to avoid, because of their intrinsic nature

(e.g. counter inquiries, the endless round of meetings) or because of political deadlines (e.g. council meeting schedules). Such responsibilities can draw staff time and attention away from formal planning activities (such as assessment of development proposals, negotiation and facilitation) and thereby draw the attention of the planning critics.

Competing Local Government Responsibilities and Priorities

The Local Government Act mandates councils to perform a wide range of activities and services, some of which are mandatory, or, in a political sense, highly obligatory. These include disposal of rubbish, roads, reserves and recreation (sports fields etc.), water and sewage waste, control of building and development, animal control (e.g. wandering dogs and stock), noise control, libraries and community services, environmental health, and many more.

The conflict between planning/resource management responsibilities and other responsibilities can be politically compelling. If a sewage system, roadworks, or water supply system is not working, the whole community, or large sectors of it, are affected; if the resource management function is inefficient, only the directly affected developers are likely to know about it.

Even if local authorities wish to perform their resource management responsibilities efficiently and effectively, many of their competing responsibilities are expensive and more urgent. Construction and maintenance of roads, water mains, and sewer mains tend to take precedence over the protection or restoration of natural and physical resources. For rural districts, community playing fields for rugby or soccer tend to be

viewed as more necessary than safeguarding the life supporting capacity of ecosystems, or sustaining the potential of natural and physical resources for future generations.

District councils in particular must respond to a variety of functional demands, of which development regulation under the RMA is only one. In many cases, seasonal or other fluctuations (e.g. related to the business cycle), make it hard for councils to predict or respond to peaks and demands in the development workload without imposing strain or extra cost on ratepayers or other sections of administration within council. Rural decline over the past few decades means that geographically widespread rural local authorities which depend on a small rating base to fund an expensive network of rural roads and other services are especially disinclined to incur extra costs for development that involves conservation of a biophysical resource base, that, to the untrained eye, may appear to show few obvious signs of stress.

We can suppose that where competing statutory responsibilities (for roads, water, sewerage, and the like) are pressing, and funding sources limited, the resources given to a council's planning department may not allow the department to carry out its administrative responsibilities under the RMA effectively. In these cases, poor planning performance may reflect administrative and political priorities rather than statutory deficiencies of the RMA.

Professional Knowledge and Skill

Apart from the size and scale of different councils, the capacity of local government to administer the provisions of the RMA depends greatly on the knowledge, commitment and skill of staff, and on their relationships with developers, landowners, and members of the public. The RMA has introduced fundamentally different approaches and criteria for the assessment of development proposals, and introduced concepts which are new and strange to planners trained under a 'town and country planning' paradigm, and to many old-time officers of local government. As noted by Roper-Lindsay (1997:18 - 23), the RMA requires local authorities to deal with subject areas (the natural and physical environment) that were, prior to the implementation of that Act, only peripheral to their core concerns. Even today, 8 years after the Act came into power, many local authority staff have little understanding of ecosystem structures and processes, the habitat requirements of indigenous species, or the biophysical dynamics of air, water, soil, and coastal and marine systems.

Within every organisation, there is "institutional drag" created by past history of knowledge and ways of doing things. Staff involved in land management build up relationships within the organisation and with individuals and interest groups outside. In many councils there is a division between staff involved with RMA procedures, and staff involved with operations (streets, reserves, water and sewage, flood control, etc.). While those involved directly with the RMA usually have a reasonable understanding of the purpose, principles, and administrative procedures and timeframes of the Act, staff involved in other areas of council seldom have such knowledge. They may feel opposed to or impatient of the RMA requirements (for public consultation for example, or consultation with indigenous Maori landowners).

Thus, despite the legislation, we have officials and resource consent administrators who do things the way they have always been done.

It should be noted that even among professional planners, the knowledge base required by the RMA may be inadequate for efficient and effective implementation of the legislative objectives. Unlike the former Town and Country Planning Act, the RMA, gives little attention to social and economic matters and great emphasis to biophysical objectives and development control criteria. Planners with backgrounds in the social sciences or design professions are handicapped by a lack of relevant knowledge and understanding by which to assess development proposals under the RMA.

Lack of professional knowledge and judgement in relation to biophysical processes means that planners are particularly vulnerable to the pressures imposed by development applicants to minimise time delays and minimise the potential of detrimental environmental effects. Requests by planning administrators for more information about environmental effects may be viewed by development applicants as obstructive delaying tactics rather than genuine concern.

Macro-social trends

The Resource Management Act 1991 was enacted virtually in tandem with a radical restructuring of local government completed in 1989 (Memon 1993: 71 - 85).

Drafting of the RMA and the legislative provisions for local government restructuring involved joint meetings of central government officials involved in each exercise.

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The allocation of planning responsibilities under the RMA was consistent with the restructured form of local and regional government. (Palmer 1995: 145 - 174.)

However, the restructuring of local government did not necessarily remove intergovernmental impediments to good planning and it did not stop at the point of RMA enactment. Many of the changes that have continued in local government since its restructuring have impacted on the practice of planning by resisting or undermining the principles put forward in the legislation.

Frieder notes that the sweeping state sector reforms of the 1980s "left senior officials accountable for financial performance and somehow less accountable for performance in other policy areas such as Maori- Pakeha (European New Zealander) partnerships, intergovernmental partnerships, public participation, and integrated environmental management." (1998:20)

Dixon et al suggest that one reason for variable administrative performance is that "repeated organisational restructuring since the reform of local government in 1989 has resulted in new styles of operation within councils, including the setting up of business units to deal with some activities. A common feature of this restructuring has been to separate out regulation from policy. This has had the unfortunate consequence of regulatory activities, such as the administration of resource consents, being regarded as the 'poor cousin' of policy matters" (1998:607), In addition, repeated restructuring has sometimes resulted in losses of corporate memory, and losses of key staff.

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Policies, Practice, and the Impact of Context on Legislative Intent

The foregoing discussion has identified a number of reasons why planning practice in New Zealand may not live up to the expectations of some of the public, and why there may be contention about the value and effectiveness of planning legislation. These can be summarised as:

- Lack of interagency coordination and co-operation in plan preparation and plan implementation;
- Variable and inconsistent administrative workloads, which may cause delays and inefficiencies in the processing of development applications;
- Competing political and administrative priorities, which limit the staffing resources allocated by councils to their planning responsibilities;
- Variable levels of knowledge and skill in relation to the policies and criteria imposed by the new legislation, both among planners and within the wider community of officials, politicians and professionals who become involved in the planning process;
- Political pressures from representatives of development interests to minimise the delays and costs inherent in any planning process;
- Macro-social trends which have impacted on the public service through progressive waves of restructuring, sometimes causing disruption and organisational weakness in relation to planning administration.

I believe that the New Zealand experience in relation to the Resource Management Act has features which are both common to planning practice elsewhere, and unique to New Zealand. Features common with planning practice elsewhere include

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problems of inter-agency co-operation and plan integration; problems of corporate accountability and efficiency, political priorities, and the conflict between a "customer service" ethic and a "public service" ethic. A problem which I think might be especially characteristic of New Zealand, and due to the particular biophysical emphasis of the RMA, is the general lack of professional expertise in relation to ecological and biophysical processes.

I believe that this lack may afflict the planning profession as a whole, coming as it does from an early history of social welfare and reform based on urban European and North American conditions. By history and training, I suspect that the planning profession are not well prepared to deal with issues related to natural environmental processes. This deficiency is less obvious in other countries because the biophysical base is only one of the aspects considered by planners, whereas in New Zealand, it is a large component of the legislative mandate. Given the increasing importance of biophysical limits to human expansion, it may be that the planning profession as a whole may need to become increasingly knowledgeable about environmental and ecosystem processes.

Conclusion

Inevitably, much of the criticism that planners face is a consequence of their role in the development process where society is divided by interest groups and divisions of power. Because planning interfaces with property and place, there is always likely to be an element of conflict and criticism.

In the case of New Zealand, the criticisms of planning practice come from at least two directions: those (mostly developers and resource users) who say that planning practitioners and the legislation is unnecessarily obstructive, and those who say that planners are not fulfilling the principles and policies of sustainable management, as set out in the Resource Management Act. In practice, the abilities of planners to implement the provisions of the Act effectively are compromised by a series of factors, some of which relate to the profession and its history of professional expertise, but others of which are outside the ability of planners to change. The capacity of planners to respond constructively to the political and practical pressures placed upon them may be compromised by broader social and political factors that structure the context within which they work and by the personal and political pressures to which they are subjected on a day-to-day basis within the planning office.

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