

Superb or Suburb?

International case studies in
management of icon landscapes





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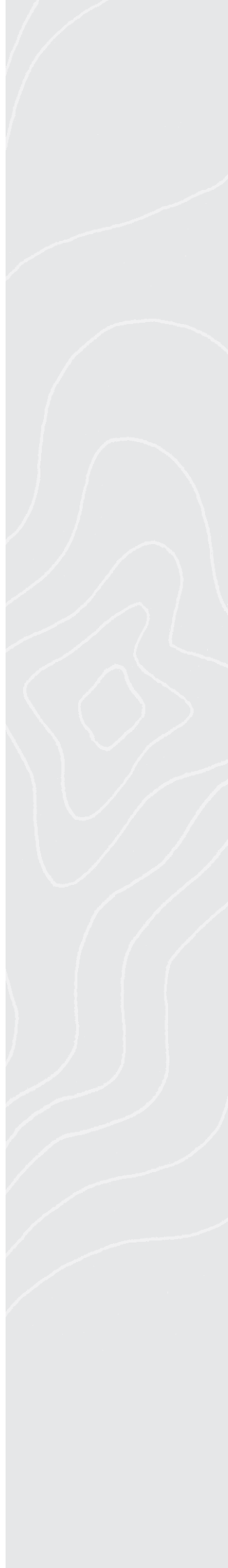
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Preface

In the second half of the twentieth century many people of more affluent communities have increasingly sought living spaces in icon landscapes. This is in response to a lot of things, including: the desire for vistas, or to be closer to 'nature'; the need for a retreat from the pressures of life in a 'go faster' world; and people wishing to use desirable property to generate wealth for their retirement. Management of the impacts of people living in beautiful landscapes has become a major land-use planning challenge. How can this desire to inhabit these landscapes be met in ways that do not destroy, in the long term, the very values that attract people there in the first place?

New Zealand, in common with many other nations, is becoming increasingly concerned about human settlement impacts on desirable landscapes. In 2001 my team and I examined how these impacts were being played out, via a series of case studies ranging from the Waitakere Ranges in the north to the Queenstown Lakes area in the far south, in our report *Managing Change in Paradise: sustainable development in peri-urban areas*. The study focused on the results being achieved by current planning processes, which unsurprisingly, were very variable. But what caused this variation? I found many reasons but significant ones included: a general inability of communities and local government to develop long-term consensus on just what is valued in the desired landscapes; the fundamental inability of current planning under the Resource Management Act 1991 to address cumulative effects; and the general failure of central government to provide adequate guidance or significant investment in planning and resource information.

These findings reinforced the concerns of many of the inhabitants and administrators of cherished landscapes and ecosystems. However, addressing these concerns is far from simple, because it will

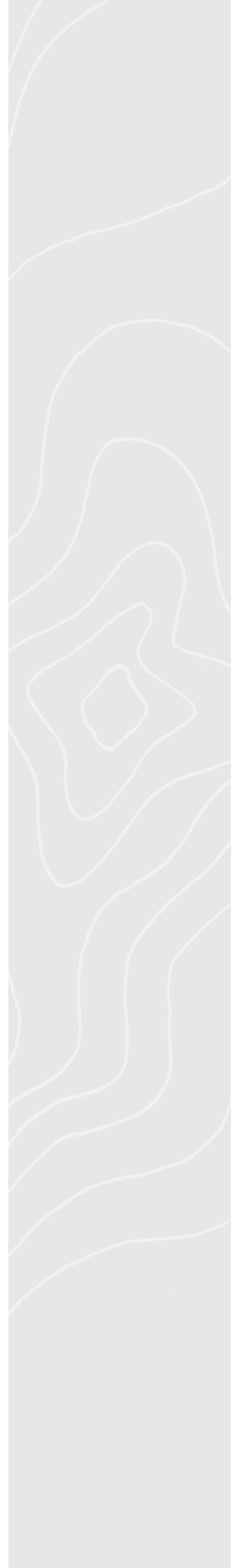
require some very fundamental shifts in thinking about planning approaches. This realisation led to the decision to examine how icon landscapes are being managed elsewhere in the world, in order to see what we could learn from the experiences of communities in other countries.

We selected three areas as case studies: the Oak Ridges Moraine in Ontario, Canada, the Cape Peninsula in South Africa and the Peak District in the United Kingdom. Although these areas have very different histories, and political and social contexts, I believe they provide valuable clues to the key ingredients for sustaining critical values in icon landscapes and ecosystems. In the concluding remarks of this report we outline key lessons from the case studies.

Some of the planning approaches we identify are very different from those that shape New Zealand's current models. The determining of whether or not these approaches can help deliver what communities want in our valued landscapes will necessitate a substantive and honest re-examination of our models. Yes, our culture and ways of doing things differ from those of the case study areas, but I don't believe they differ enough to prevent us from taking their learnings very seriously and applying them to our needs. I trust that we will, because failure to do so will guarantee the loss over the next few decades of many of the values we cherish in some great lands and landscapes in New Zealand.



Dr J Morgan Williams
Parliamentary Commissioner for the Environment



Section 1

Introduction

1.1 Background

The Parliamentary Commissioner for the Environment's 2001 report, *Managing Change in Paradise: sustainable development in peri-urban areas*¹ highlighted serious concerns about the patterns of residential development in rural New Zealand and at the urban fringe. Residential developments in areas of high landscape value, are exerting pressure on New Zealand's biodiversity, ecology and natural heritage features, and cumulatively detract from our 'sense of place'.

In addition to concerns about the outcomes of planning approaches in New Zealand, concerns about the Resource Management Act 1991 (RMA) process also surfaced. Current approaches to managing peri-urban development are perceived to entail cumbersome bureaucratic processes with little certainty for developers and other interested parties. Alongside this, are the high and sometimes prohibitive costs that confront individuals and organisations working to preserve and protect existing landscape, ecological and amenity values in the face of changing and intensifying land-use pressures.²

The conclusion of *Managing Change in Paradise: sustainable development in peri-urban areas* stated:

*Rather than making a number of recommendations for future action, we feel it is more appropriate to identify key questions and to stimulate debate around a range of possible solutions and set an agenda for ongoing dialogue.*³

We hope that this report is a useful contribution to that debate and will stimulate the search for solutions.

The Commissioner believes there is value in looking to other countries for new ideas and innovative approaches that may assist New Zealand planners and communities to achieve better outcomes in the peopling of significant

landscapes. This report documents the approaches to managing a significant landscape area, in three different countries. The case studies are:

- The Oak Ridges Moraine, Ontario, Canada.
- Cape Peninsula, South Africa.
- Peak District National Park and Peak District, United Kingdom.

Within the context of residential development pressures, for each case study this report aims to:

- outline the pressures on natural landscape and ecological values
- outline the relevant legal and constitutional framework
- outline the current policy and planning process
- consider how management sustains the values associated with biodiversity, ecosystem services, production systems, recreation, and heritage and landscape attributes
- consider how cumulative effects are managed
- illustrate how the community is involved in decision making
- consider how management provides for the rights and responsibilities of indigenous peoples
- discuss any emerging trends or issues.

New Zealand can learn from the experience of other countries - the case studies provide generous food for thought and discussion. The concluding chapter of this report draws on the three cases studies to present some key lessons for New Zealanders to consider.

1.2 Methodology

The case studies have been chosen on the basis of both practical considerations, such as the availability of relevant information and accessibility to personnel involved in the decision-making process, and relevance to the New Zealand situation, including:

- the presence of high natural landscape and ecological values
- intense or increasing pressure from

subdivision, residential and/or tourist development

- importance to the local economy
- recognition of the significance of ecological services and recreational opportunities provided to the community
- the existence of alternative approaches to addressing development pressures
- extent of similarities and contrasts to the New Zealand cultural context, including indigenous peoples, colonisation, western democracy, standard of living and quality of life.

The research for this project has involved a desktop study of each of the case studies. Substantial information has been considered and informed further by personal communications with people involved in developing, administering or commenting on the land management approaches. People resident in the case study areas who are familiar with the local planning framework have reviewed the case studies for factual accuracy.

1.3 What this report is not

This report does not specifically aim to consider the management of urban sprawl in the chosen case study areas.

Whilst key lessons are gleaned from the case studies, they have not been systematically analysed or compared with the New Zealand approach - councils and communities themselves need to decide how the various mechanisms might work to achieve the outcomes sought in their locality. In doing so, the differences of the New Zealand culture and history of land settlement should be borne in mind.

There is an international model worth mentioning here that is not covered in this report: the World Conservation Union (IUCN) category V protected landscape. This approach for protected private land is being promoted by the Environment Defence Society in Auckland, most immediately with the Waitakere Ranges in mind, but with a

view to thinking about other New Zealand landscape areas (see www.eds.org.nz). Given the work being done already in looking at the applicability of this approach to the New Zealand situation, a case study based on this model is not repeated here.

1.4 PCE mandate for project

This report is produced pursuant to the Commissioner's mandate in the Environment Act 1986. In particular:

s16(1)(f) To undertake and encourage the collection and dissemination of information in relation to the environment: and

s16(1)(g) To encourage preventative measures and remedial actions for the protection of the environment.

Section 17 of the Act also states that in performing these functions, the Commissioner, at his discretion, shall have particular regard to, amongst other things:

... (b) Areas, landscapes, and structures of aesthetic, archaeological, cultural, historical, recreational, scenic, and scientific value

... (d) The effects on communities of people of -

(i) Actual or proposed changes to natural and physical resources:

(ii) The establishment or proposed establishment of new communities:

... (g) Alternative means or methods of implementing or providing for any such proposal, policy, or matter in all or any of its aspects ...

1.5 How to use this document

Readers are encouraged to consider: the similarities and differences between the case studies and the New Zealand situation; what lessons might be learnt from the experiences of other countries; and, how this learning could be applied to management of the valued landscapes in their region. Some concluding remarks, lessons and questions are provided at the end of this document to stimulate your thinking.

Abbreviations and footnotes for each chapter are at the end of that chapter. All references are at the end of the document, and are grouped by chapter. The appendices are listed at the end of each chapter and are located on the PCE's website (www.pce.govt.nz), along with links to some of the documents referred to in the report. Useful websites to visit for more detailed information are also provided at the end of each chapter.

¹ Parliamentary Commissioner for the Environment. 2001. *Managing Change in Paradise: sustainable development in peri-urban areas*.

² The Commissioner's recent report *Creating Our Future: Sustainable Development for New Zealand* points out: *The extensive criticisms of the RMA have largely been about process, rather than the substance of the Act, and the broader goal of advancing the country towards sustainability has largely been forgotten in disputes over detail with the RMA. The RMA was a farsighted piece of legislation. However other mechanisms are also needed to advance sustainable development.*

Parliamentary Commissioner for the Environment. 2002, p. 121.

³ Parliamentary Commissioner for the Environment. 2001, *op. cit.*, p. 91.



Section 2

Oak Ridges Moraine, Ontario, Canada

2.1 Introduction

This case study outlines the recent evolution of land-use planning and additional management tools for the Oak Ridges Moraine (the Moraine) in Ontario, Canada. The approach to managing development on the Moraine has undergone substantial change. Until recently, development was managed under a framework led by provincial government policy. Municipal authorities had to have regard to this provincial policy when developing and implementing their official plans for land-use management. This approach was seen to result in inconsistent management across municipality boundaries; lack of provincial leadership; inconsistent interpretation of policy by decision makers; no management of cumulative effects; and, ultimately compromised the ecological integrity of the Moraine.

In a remarkable change of approach, the Moraine is now managed subject to area-specific legislation that establishes a Moraine-wide conservation plan. All municipal official plans must conform with the new conservation plan, which has ecological considerations as its first and foremost focus.

This chapter describes the physical features of the Moraine, and briefly, the previous legislative and planning framework and events leading to the significant change in planning approach. For readers with a particular interest in community-led change and political agenda setting, a more comprehensive description of events is available in appendices 2A and 2B. The bulk of this chapter outlines the newly introduced area-specific legislative and planning requirements.

2.2 Location and description of the physical environment of the Oak Ridges Moraine

The Oak Ridges Moraine is 190,000 hectares in area and 160 kilometres in length. It stretches from the Trent River in the east to the Niagara

Escarpment in the west.⁴ The Moraine is one of the last continuous corridors of greenspace left in south-central Ontario - the most populated part of Canada. Together with the Niagara Escarpment, the Moraine forms the foundation of the area's natural heritage and greenspace systems.⁵ As a result of its proximity to Toronto, the eastern part of the Moraine is subject to intense development pressure. (See figures 2.1-2.3.)

Whilst the Niagara Escarpment is well known for its spectacular vistas, plunging cliffs and waterfalls, the values of the Moraine may be less immediately visible. However, within its landscape of bucolic rolling hills, is a host of diverse flora and fauna, including several species at risk, significant water features and below ground geology and hydrogeology that provide essential ecological and watershed services.

Below, local resident and campaigner for protection of the Moraine, Debbe Crandall describes the Moraine.

The Oak Ridges Moraine: A Provincial Treasure

Soaring north from Lake Ontario's northern shoreline, the landscape below leaves behind the tall office buildings and dense residential streets of Toronto's heart, passes over suburban sprawl of subdivision and industrial parks, and development coalesces along major roads and unseen pipelines that penetrate the countryside. The land below is flat, dissected by river valleys that deepen as they reach further into their headwaters. And then, abruptly, the country changes from flat till plains to rolling hills and valleys; splashes of green forests and blue waters, replacing the greys and blacks of pavement and rooftops. With a shift in perception through the lens of time, you can almost see the massive glacial rent in the ice sheet filling up with icy waters and a millennia worth of sand and gravel and boulders; these are the early days of the interlobate Oak Ridges Moraine, arcing like a huge eyebrow above the eye of Canada's largest city.

Seen directly from above, the first and most startling impression is "this is where the rivers begin!". All along the ridge of this regional surface water divide are many finger patterns of tiny headwater streams bubbling out of the ground in seeps and swales and springs. These trickles of water join forces, delivering cold clean water to the many rivers and streams that flow north and south from the Moraine. The river valleys are well forested, providing living corridors along which animals travel. Wetlands and kettle lakes along the length of the watersheds are home to hundreds of species of birds and amphibians and provide needed watering holes for all kinds of wildlife.

Deep within the ground is the true treasure of the Moraine - thick layers of sand and gravel many hundreds of metres from surface to bedrock. The waters in these aquifers span thousands of years in age; on the surface the water was yesterday's rain but deep deep down the water held in trust was once glacial ice. This is truly the lifeblood of the region, providing water to people, to rivers and to the oceans. It is these waters that may help us survive the warming of the years to come.

Strung along the rivers of the Moraine are historic towns that show similar patterns of conurbation - the classic village center ringed by modern subdivisions and schools and baseball diamonds. Up or downstream are remains of dams signifying how important the fast flowing rivers once were to the economy of a century ago. Today, the millponds perform a different role of attracting birds and wildlife, bringing eco-tourist dollars to these struggling centers.

The second startling impression is the sight of a long and narrow urban band stretching from the south to the north straight through the hills and valleys. The Big Pipe decision decades ago helped to bury the precious tributaries under acres of pavement and to bring thousands of people up to the Moraine. It was here where the Moraine was almost cut in half by

development. (Through provincial intervention, this significant section of the Moraine has been placed in the public trust, thus preserving a vital link in the regional natural heritage system.)

Fields of corn, hay, soybean, horses and cattle seem to drape themselves around large garrulous old forests. Decades of restoration efforts to re-connect the forest fragments are evident in the thousands of acres of pine plantations, the hedgerow artifacts and the newly planted saplings put there by school children. It's obvious now that many of these marginal farm fields high on the ridge should never have been cleared back in the early days of First Contact - like long lost friends the newly-planted roots re-secure the fine sands and silts and hold them close. More productive farms on the north and south slopes are thriving and contribute strongly to the economy of the area - tractors move more slowly up and down the Moraine hills than they do on the flat fields to the north and south.

The natural curves of the rivers and forest edges are rudely pushed aside by the long linear slashes of roads first built to bring the Europeans to this land. Like ribbons of death, the new four-lane highways do their best to stop the genetic movement of nature. But nature's resiliency proves too strong as plants and animals continue to move about the length of the Moraine.

Yes, sprawl is nibbling at the southern front of the Moraine and sprawl has been temporarily tamed. It will roar again in the future and its threat will never totally disappear. But for now, development has been beaten back to the boardroom.⁶

Figure 2.1: Canada (the arrow in the right corner indicates the approximate location of the Moraine)



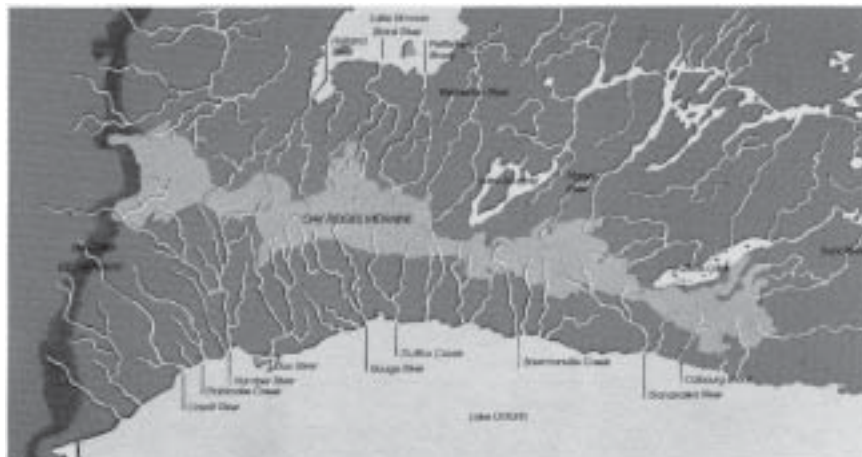
Source: www.curleat.com/curling/links-prov-map.htm.

Figure 2.2: Boundary of the Oak Ridges Moraine and regional and municipality boundaries (the Greater Toronto Area (GTA) includes the regions of Peel, York and Durham)



Source: Ontario Ministry of Municipal Affairs and Housing: www.mah.gov.on.ca/maps/full_map_merge.jpg.

Figure 2.3: Extent of rivers in the Oak Ridges Moraine watershed area (the Niagara Escarpment is shaded to the left of the Moraine)



Source: www.stormco.org/orm1.jpg.

2.2.1 Ecological values of the Moraine

"The Moraine has a unique concentration of environmental, geological and hydrological features that make its ecosystem vital to south-central Ontario ..."⁷ The Moraine supports amphibian, reptile, fish, mammal, dragonfly and damselfly species, butterflies, nesting birds, rare, threatened, vulnerable and endangered species, and vascular plants. It contains provincially significant wetlands and kettle lakes.⁸ Sixty-five streams and rivers have their headwaters on the Moraine; the headwaters of all of the watersheds in Toronto originate on the Moraine (see figure 2.3).⁹ The Moraine divides the watershed draining south into western Lake Ontario, from those draining north into Lake Simcoe, the Trent-Severn Waterway and ultimately Georgian Bay.¹⁰ There are 28 life and earth science Areas of Natural and Scientific Interest designated on the Moraine.¹¹ Twenty eight percent of the Moraine is covered in forest. The Moraine has up to 150 metres depth of sand and gravel deposits from glaciers that retreated some 12,000 years ago. It hosts a human population of approximately 100,000 and its underground aquifers supply drinking water to 250,000 people.

This ecological significance has been recognised in previous provincial planning documents.¹² The

values associated with the Moraine include:

- ecosystem functions such as the maintenance of healthy, clean and abundant water resources
- the long-term protection of watercourses within and associated with the Moraine
- the supply of precipitate water to the aquifer system¹³
- its contributions to other natural systems in the Greater Toronto Area (GTA) and beyond, such as river valleys and related watersheds, and adjacent wetland areas
- its support of the functioning of adjoining ecosystems through provision of biodiversity, clean air and clean water¹⁴
- the maintenance of natural heritage resources¹⁵
- healthy and diverse plant and animal habitat
- an attractive and distinct landscape
- prime agricultural areas
- sand and gravel resources close to market.¹⁶

2.3 Canadian government structure

Canada is an independent federal democracy. It has two primary levels of government: federal and provincial (see figure 2.4). These two levels are, in general, mutually exclusive.¹⁷ The province of Ontario has its own government that controls

issues affecting the province. For example, land-use planning is a provincial responsibility. Municipalities govern at the local level. At a municipal level there are two tiers; the upper tier (for example, regional municipalities) and the lower tier.

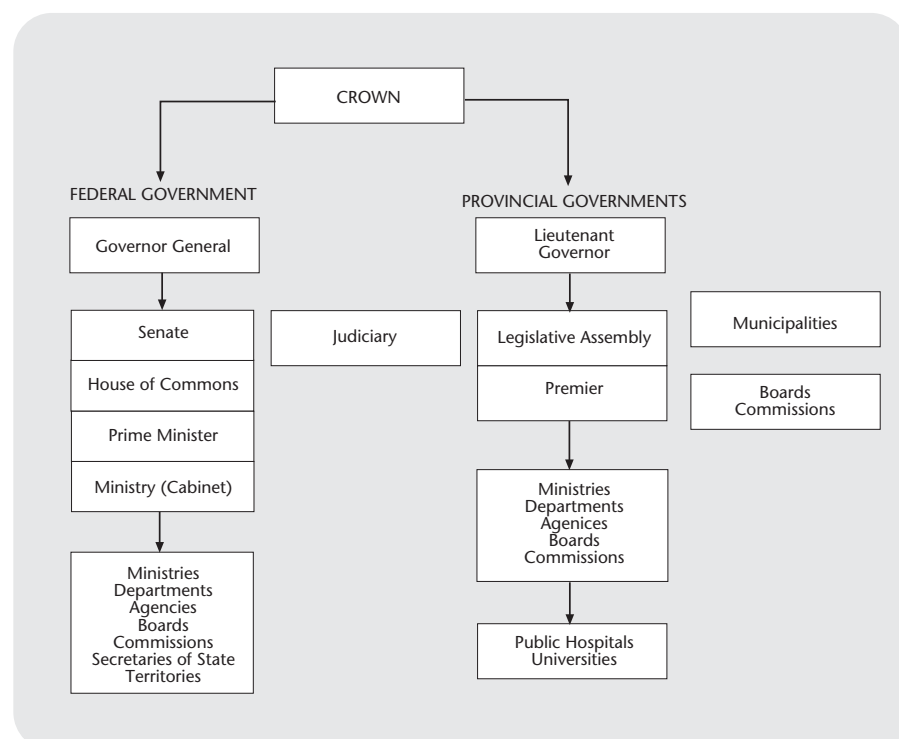
The planning system in Ontario is a policy-led system: the province sets out the broad policy framework and the municipalities (similar to regional or district councils in New Zealand) implement this through their own official plans, zoning by-laws and their decisions on development applications. The Ontario Municipal Board (OMB) resolves disputes and holds hearings under the Planning Act 1996. Decisions of the OMB are final and appeals to the Divisional Court can be made only on a point of law. The provincial government may be a party to hearings through the Ministry of Municipal Affairs and Housing (MMAH). Other ministries can participate in OMB hearings, however, the Planning Act 1996 allows only the MMAH to take party status on behalf of the province.¹⁸

2.4 Putting the Moraine on the political agenda

The campaign to improve management of the Moraine began 13 years ago under a previous provincial government.

In mid 1990, the Liberal Party government declared a provincial interest in the Moraine. The New Democratic Party elected in late 1990 expressed interest in the management of the Moraine and commissioned in-depth research to inform future management (refer to section 2.5.1). The current Progressive Conservative Party government, was elected in 1995 and had, until recently (unlike their predecessor), shown little political will to address concerns regarding protection of the ecological and aesthetic values of the Moraine. When challenged by community members on the need for a new approach to Moraine management, the provincial-level politicians were of the opinion that the planning framework had “all the tools needed to better protect the Moraine, if only [municipalities] would use them”.¹⁹ (See also section 2.5.2.)

Figure 2.4: Structure of Canadian Government



Source: <http://learnnet.gc.ca/eng/lrncentr/online/hgw/structure1.htm>.

However, many community groups and citizens were campaigning against developments in their locale. Existing Moraine residents viewed additional residential developments as undermining their quality of life. From this initial concern came about a greater understanding amongst the public of “the importance of natural core areas, groundwater aquifers and headwaters protection, and the value of wildlife corridors”.²⁰ In addition, the community learned “... that when people get involved in a local issue, they can usually see that it’s a symptom of a larger problem. ... If provincial-level laws and policies were appropriate and enlightened, then all these little boils wouldn’t keep erupting”.²¹

In early 2000, over 450 scientists signed A *Protection Statement for the Oak Ridges Moraine* that called for a Moraine-wide strategy. Non-governmental organisations (NGOs) such as the Federation of Ontario Naturalists (FON) and Save the Oak Ridges Moraine Coalition (STORM) also lobbied for better cross-municipality planning to protect large natural features in the face of urban sprawl.²²

In mid 2001, the Ontario Government decided to address the ecologically sustainable development of the Moraine. This decision was a result of the focused attention on the management of the Moraine by environmental NGOs, Toronto City Councillors, the two opposition parties in the Ontario Legislature, Moraine residents, the media and the Environmental Commissioner of Ontario (ECO). In addition, the 1999 Tri-Regional Strategy (refer section 2.5.1), the Richmond Hill hearing (refer section 2.6.4) and several other big hearings waiting to be heard by the OMB also drew attention to the management of the Moraine.

A detailed timeline of the events from 1989-2002 is included in appendix 2A.

2.5 Pre-2001 legislative and planning framework

This section provides a brief outline of the legislative and planning framework for the

Ontario region, applicable to the Oak Ridges Moraine prior to 2001. A more detailed description of studies, documents and events is provided in appendix 2B.

2.5.1 Provincial policy

The Provincial Policy Statement²³ (PPS) is issued under the Planning Act 1996, and provides policy direction on matters of provincial interest related to land-use planning and development. The PPS is based on three principles aimed at achieving long-term economic prosperity, environmental health and social well-being in Ontario.²⁴ The Planning Act 1996 requires that municipalities developing their municipal plans “shall have regard to” the PPS.²⁵

In July 1990 a report entitled *Space For All: Options for a Greater Toronto Area Greenlands Strategy* was released. Commissioned by the Premier of Ontario, in the face of projected population growth, this report called on the province to declare its provincial interest and to initiate a comprehensive land-use planning study for the Moraine Area within the GTA (see figure 2.2.).²⁶

Following the declaration of provincial interest in the Moraine in 1990, the *Implementation Guidelines: provincial interest on the Oak Ridges Moraine Area of the Greater Toronto Area* were introduced in June 1991 by the Ontario Government. These guidelines were prepared to assist municipality planners and developers to implement the provincial interest.²⁷

In 1991, a three-year planning study commenced. This involved 15 background studies and culminated in the production of *The Oak Ridges Moraine Strategy for the Greater Toronto Area: an ecosystem approach for long-term protection and management* (the Strategy).²⁸ (See appendix 2B for details of the background studies.)

Despite the comprehensive nature of the research undertaken and the large financial investment in developing the Strategy it was not formally commented on or implemented by the Ontario

Government, as a result of the change in governing party in 1995.

In September 1999, *The Oak Ridges Moraine - Towards a Long Term Strategy*, commissioned by the Regional Municipalities of Peel, York and Durham, reiterated the need for a Moraine wide strategy, stating:

... There is still a need for the province to formalize its 1991 declaration of provincial interest through a long-term strategy.²⁹

2.5.2 Environmental Bill of Rights Review application

In March 2000, Toronto City Councillors Miller and Adams and, separately, FON and STORM, applied for a review of the need for a new policy, Act or regulation pursuant to the Environmental Bill of Rights (EBR). See appendix 2C for an outline of the purposes and principles of the EBR. The rationale for a review are included in appendix 2B.

Despite the expression of provincial interest, any clear and comprehensive approach from the province to management of the Moraine as a geographical feature had been lacking. However, the official response to the EBR applications for review from ministers of the provincial government was that:

Since this sound provincial and municipal framework of policy, guidelines and legislation exists, each of us does not believe that a further review is warranted.³⁰

The Environmental Commissioner of Ontario found that the:

... ministries' response completely disregard[ed] compelling arguments and evidence included in the application, such as:

- *evidence of the environmental significance of the ORM, increasing development pressure, and potential harm to the environment*
- *municipal and OMB decisions demonstrating*

a piecemeal approach and decisions contrary to ORM protection

- *statement in the 1991 ORM guidelines that they were an interim measure, pending completion of technical studies and adoption of a long-term strategy*
- *evidence that the studies were undertaken and a long-term strategy was drafted and endorsed by all stakeholders in 1994, but not adopted by the provincial government*
- *evidence that many other stakeholders, including several Regional Municipalities, the City of Toronto and the Greater Toronto Services Board also hold the opinion that the current Guidelines are inadequate and that a long-term strategy and provincial policy are still required.³¹*

2.6 Introduction of new legislation - the planning documents and approaches

The opportunity to develop a new approach to management of the Moraine came in May 2001 when the Oak Ridges Moraine Protection Act 2001 froze all development applications on the Moraine. It also stopped the OMB from making decisions on existing applications related to the Moraine.³² The Act established a six month moratorium on development whilst the government consulted on protection options for the Moraine.³³ An advisory panel of 13 members was appointed and an inter-ministerial team of senior Ontario Government officials worked with the advisory panel to advise the Minister of Municipal Affairs and Housing on a plan for the future of the Moraine.³⁴

In August of 2001, acting on advice from the advisory panel, the Minister released a public discussion document *Share Your Vision for the Oak Ridges Moraine*. This discussion document was widely consulted on - over 2,000 people attended public meetings and 600 written submissions were received.³⁵

The new planning approach is encapsulated in the Oak Ridges Moraine Conservation Plan (the Moraine Plan/the Plan). The Plan is established in law by the Ontario Government³⁶ as a regulation under the Oak Ridges Moraine Conservation Act 2001. The Act and the Moraine Plan emerged from the work of the provincial government's advisory panel.

Table 2.1: A new planning approach for the Moraine - the various legal documents, their purpose and relationship to each other

Document	Document purpose
The Oak Ridges Moraine Protection Act 2001	Established a six-month moratorium on development on the Moraine whilst the Government consulted on a new planning approach
The Oak Ridges Moraine Conservation Act 2001	Area-specific legislation that establishes the Oak Ridges Moraine Conservation Plan as a regulation under the Act.
The Oak Ridges Moraine Conservation Plan 2001	Sets out planning requirements. This Plan is a regulation under the Oak Ridges Moraine Conservation Act. The Plan document also includes non-regulatory sections outlining the Government's vision and expectations for how the regulation (that is, the Plan) should be implemented.
Municipal Official Plans	Existing 'regional and district' plans that must be brought into conformity with the Oak Ridges Moraine Conservation Plan.

The Oak Ridges Moraine Conservation Plan was released in April 2002. It covers 190,000 hectares across three regions and five counties. All municipal decisions on planning and development applications that commenced on or after 17 November 2001 (the end date for the six-month development moratorium) are required to conform to the Plan.³⁷

2.6.1 New planning approach

The new planning approach is based primarily on the *Share Your Vision for the Oak Ridges Moraine* discussion document that builds on the work done for the 1994 Strategy (see section 2.5.1 and appendix 2B).

The regime is also modelled, in part, on the management of the Niagara Escarpment. Similarities to the management of the Niagara Escarpment include the use of specific land-use designations, permitted uses and lot creation policies. The Ontario portion of the Niagara Escarpment was designated a World Biosphere Reserve by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 1990 (see appendix 2D). It is hoped that the new planning approach for the Moraine will also receive such recognition.

Interestingly, the management of the Niagara Escarpment has just undergone its second five-year review, with a call being made for greater protection measures - these are outlined in appendix 2E.

Unlike the approach used for the Niagara Escarpment that established a separate planning system, the Moraine Plan "was designed to work within the existing planning system where the province sets the broad policy direction and the municipalities are responsible for implementation".³⁸ Regional municipalities in the GTA (York, Peel and Durham) are required to have their official plans conform with the Moraine Plan within a year of its introduction (that is, by April 2003). Lower-tier municipalities and other non-GTA municipalities of the Moraine have 18

months to bring their zoning by-laws into line with the Plan (that is, by November 2003).³⁹

The requirement to ‘conform’ is a main characteristic of the Moraine Plan that distinguishes it from other provincial planning policy that municipalities are only required to “have regard to”.⁴⁰ By bringing existing official plans into conformity with the provincial Moraine Plan, this allows municipalities to use their own planning documents to protect the Moraine.⁴¹ The Moraine Plan will prevail if there is a conflict with local plans.

Promoters at FON of the new planning approach for the Moraine consider it to be transferable to specific landforms or, potentially, all those parts of Ontario under municipal organisation. The Environmental Commissioner for Ontario also made the observation in his 2001/2002 annual report that the Government should consider applying this planning approach to the rest of southern Ontario.⁴²

2.6.2 Oak Ridges Moraine Conservation Plan

The Plan contains an introductory and implementation section that outlines the Government’s vision, and expectations for how the regulation (the Plan itself as established under the Oak Ridges Moraine Conservation Act 2001) should be implemented; it is intended that these always be read together with the regulation.⁴³

The purpose of the Plan is to:

... provide land use and resource management planning direction to provincial ministers, ministries, and agencies, municipalities, municipal planning authorities, landowners and other stakeholders on how to protect the Moraine’s ecological and hydrological features and functions.

The Ontario Government’s vision for the Oak Ridges Moraine is that of ‘a continuous band of

*green rolling hills that provides form and structure to south-central Ontario, while protecting the ecological and hydrological features and functions that support the health and well-being of the region’s residents and ecosystems.*⁴⁴

The Oak Ridges Moraine Conservation Act 2001 establishes a number of objectives for the Plan as listed below.

- (a) protecting the ecological and hydrological integrity of the Oak Ridges Moraine Area;*
- (b) ensuring that only land and resource uses that maintain, improve or restore the ecological and hydrological functions of the Oak Ridges Moraine Area are permitted;*
- (c) maintaining, improving or restoring all the elements that contribute to the ecological and hydrological functions of the Oak Ridges Moraine Area, including the quality and quantity of its water and its other resources;*
- (d) ensuring that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environment for the benefit of present and future generations;*
- (e) providing for land and resource uses and development that are compatible with the other objectives of the Plan;*
- (f) providing for continued development within existing urban settlement areas and recognizing existing rural settlements;*
- (g) providing for a continuous recreational trail through the Oak Ridges Moraine Area that is accessible to all including persons with disabilities; and*
- (h) providing for other public recreation access to the Oak Ridges Moraine Area; and,*
- (i) and any other prescribed objectives.*⁴⁵

Section 5 of the Plan establishes a Prohibition that:

Table 2.2: Land-use designations for the Oak Ridges Moraine⁴⁸

	Natural Core Areas	Natural Linkage Areas	Countryside Areas	Settlement Areas
Percentage of Moraine area	38	24	30	8
Purpose	Protection of the most significant natural features.	Network of corridors to connect Natural Core Areas and allow for passage of wildlife and plant material.	Agriculture, recreation, parks and open space and existing rural settlements.	Land approved for urban use in official plans.
Description of natural features, values	The most significant natural features, including: forests, woodlots, valley lands, wetlands, streams, fish and wildlife habitat, kettle lakes, peatlands, seepage areas, species-at-risk habitat, springs and complex landforms.	Forested areas, river valleys, wetlands and other rural lands.	Rural and non-urban lands.	
Use controls and permitted uses	<p>Most restrictive with strict controls. Permitted uses (that meet the requirements) include:</p> <ul style="list-style-type: none"> • single residences on existing lots • low-impact recreation (e.g., hiking, picnic areas) • already existing site-specific uses • existing agricultural uses • conservation, flood and erosion control • forest, fish and wildlife management • accessory uses such as bed and breakfast operation, or home business in an existing permitted residence. 	<p>Areas must be a minimum of 2 kilometres wide (except where precluded by existing development). Permitted uses are the same as for Natural Core Areas.</p> <p>Some aggregate extraction also permitted (a 1.25 kilometre width must be free of aggregate extraction at all times).</p>	<p>Permitted uses include all uses permitted in Natural Core and Natural Linkage Areas, plus:</p> <ul style="list-style-type: none"> • aggregate extraction • intensive recreational uses (e.g., golf courses, ski fields, service campgrounds) • agriculture and agriculture related uses • outside of agricultural areas • small scale commercial, industrial and institutional uses such as schools and retirement homes • residential subdivision excluded, but 'minor' infilling within existing rural settlements provided for. 	<p>Permitted uses include those already approved in official plans, such as industrial, commercial and residential use. Development plans must protect significant natural heritage features and landforms.</p>

No person shall, except as permitted by this Plan,

(a) use land or any part of it;

(b) undertake development or site alteration with respect to land; or

(c) erect, move, alter or use a building or structure or any part of it.⁴⁶

The new planning approach designates land into four categories:

1. Natural Core Areas.
2. Natural Linkage Areas.
3. Countryside Areas.
4. Settlement Areas.

A description of each of these areas and the relevant planning controls is summarised in table 2.2 opposite.

Some of the key land-use policies of the plan are:

- no new aggregate resource extraction is permitted in Natural Core Areas and in other areas stringent review and approval standards need to be met;
- no new urban residential development in almost 92 percent of the Moraine;
- new major recreational developments such as golf courses, ski hills and serviced camping grounds are only permitted in Countryside Areas once stringent review and approval standards are met;
- new transportation and utility corridors or facilities will only be permitted in Natural Core Areas and Natural Linkage areas if it can be shown necessary and that there are no alternatives;
- the trail system is for non-motorised recreational access.⁴⁷

Although table 2.2 outlines the permitted uses for the four designated land areas, each new use or development proposal will be evaluated against key ecological and hydrological requirements, including consideration of impacts on:

- key natural heritage features
- key hydrological features, and

- landform conservation.⁴⁹

Plus, certain land uses are subject to additional specific development policies.

The eastern portion of the Moraine is not currently under the same intensity of development pressure as the western end of the Moraine. Consequently, municipalities at the east end,⁵⁰ outside of the GTA, will have greater flexibility to allow for more development in the Countryside Areas (specifically rural residential plans of subdivision). Conservation groups such as FON have roundly criticised this allowance for urban-type development via rural residential subdivisions.⁵¹ However, this development cannot occur in prime agricultural areas, and cannot be approved until the relevant municipality has completed a 'comprehensive growth management study' that includes a "rural economic development strategy, that demonstrates the need for residential development".⁵² Any development that does occur in these areas will also need to, amongst other requirements, "provide for large, continuous open space blocks linking key natural heritage features and hydrologically sensitive features, to ensure connectivity".⁵³

The Plan aims to fully protect all sensitive water resources. Kettle lakes and their catchments, permanent and intermittent streams, seepage areas, springs and wetlands will all be protected from development. Where development is allowed to occur, limits are placed on the amount of impervious surfaces within sub-watersheds. These limits aim to protect the natural hydrological cycle, groundwater recharge and reduce potential flooding and erosion.⁵⁴

Municipalities are required to delineate protection areas for all new and existing municipal wells, and are required to incorporate watershed plans into their official plans. Watershed plans must, as a minimum, include a water budget and conservation plan;⁵⁵ land and water-use management strategies; implementation framework; an environmental monitoring plan;

provisions requiring the use of programmes such as those that reduce pesticide use, prevent pollution and manage the use of road salt; and criteria for evaluating the protection of water quality and quantity, hydrological features and functions.⁵⁶

Each natural heritage feature (for example, a significant habitat) or a landform feature, has an “associated area of influence”. For example, surrounding a key natural feature is a designated area of “minimum vegetation protection zone” and beyond this the “minimum area of influence” may extend. All development or site alteration within a key natural feature or minimum vegetation protection zone is prohibited except for forest, fish and wildlife management, conservation and flood controls, transportation, infrastructure and low-intensity recreation (provided all of the additional requirements for these activities can be met).⁵⁷ Any applications for development or site alteration that fall within the area of influence around a natural feature have to meet certain requirements, depending on the feature, and must be accompanied by a ‘natural heritage evaluation’.⁵⁸ This evaluation will need to demonstrate that there will be “no adverse effects on the key natural heritage feature or on the related ecological functions”, and show how connectivity between natural heritage features will be maintained, improved or restored and so forth.⁵⁹ A similar approach is taken with hydrologically sensitive features. There is a requirement that a “hydrological evaluation” be undertaken for applications for land-use change within the minimum area of influence but outside the hydrologically sensitive feature itself and the related minimum vegetation protection zone.⁶⁰

Important landscape areas are designated on maps as “Landform Conservation Areas of the Oak Ridges Moraine” and classed as either ‘Category 1’ or ‘Category 2’ with more strict controls being applied to Category 1 areas.⁶¹ Any application for development or site alteration with respect to land

in a landform conservation area must identify planning, design and construction practices that will keep disturbance to landform character to a minimum.⁶² If the application is for ‘major development’,⁶³ then a landform conservation plan is required (s30(8) and (9) of the Plan).

The Oak Ridges Moraine Conservation Act 2001 requires that the Moraine Plan be reviewed after ten years. The ten-year review cannot consider removing land from Natural Core Areas or Natural Linkage Areas.⁶⁴

The Plan’s implementation section also places an obligation on the Ontario Government to update existing technical guidelines and develop new manuals on:

- natural heritage
- landform conservation
- stormwater management planning, design and implementation
- water budget and water conservation plan preparation, and
- watershed and sub-watershed plan preparation.⁶⁵

The Ontario Government is also developing a series of water policy related guides specific to the Moraine Plan and a major guide on road construction related to the Moraine.⁶⁶

Additionally, the Ontario Government, in partnership with municipalities, conservation authorities and some stakeholders, is required to “develop and maintain a data management system to collect, store, update and share natural heritage, water resources and geotechnical information needed to interpret, apply and monitor the policies of the Plan”.⁶⁷

The Ontario Government, in consultation with municipalities, is to identify performance indicators for monitoring the effectiveness of the Plan.⁶⁸ The Ontario Government, in partnership with stakeholders, will:

... establish a monitoring network to collect, summarize and evaluate performance indicator data to:

- assess changes in the ecological integrity of the Moraine;
- assess the effectiveness of the policies of the Plan in achieving the Plan's vision and objectives;
- help identify improvements that would address problems encountered in implementing the Plan.⁶⁹

2.6.3 Response to the new planning approach

The Environmental Commissioner of Ontario in his 2001-2002 *Annual Report: Developing Sustainability* commends the Government and other involved parties for making important steps forward in environmental land-use planning in Ontario. The report states:

*In the ECO's opinion, the Plan's provisions for protecting natural heritage features and hydrological features and functions are far superior to those of the Planning Act and the Provincial Policy Statement. MAH should consider using this model to improve land use planning and decision-making throughout Ontario.*⁷⁰

However, ECO does have concerns regarding the Plan and its implementation. These include, the allowance for transportation and utilities throughout the Plan area, even in Natural Core Areas, which appear contrary to the objectives of the Plan. Additionally, ECO "shares the strong concerns of many commenters [sic] about implementation of the Plan". These concerns relate primarily to the ability of lower-tier municipalities (who lack resources and expertise) to carry out the studies and evaluations required by the Plan. The Environmental Commissioner of Ontario has urged the provincial government to assist municipalities through the provision of

baseline information, mapping, technical and policy guidelines, identification of performance indicators and monitoring and evaluation systems.⁷¹

2.6.4 Securing private land proposed for development as a protected publicly owned park

In April 2002 the Ministry of Municipal Affairs and Housing announced that nearly 550 hectares of "environmentally sensitive Oak Ridges Moraine land in Richmond Hill [would] be protected in public ownership as a spectacular park, as a result of an agreement among landowners, the provincial government and others with an interest in the Moraine".⁷² The park is being established through land dedications and exchanges for provincially owned, developable lands off the Moraine.⁷³

The formation of a Richmond Hill park is an outcome of what initially started as an OMB hearing - in early 2000 - on plans to develop more than 556 hectares of land in the area. The provincial government, environmental groups, York Region and the Town of Richmond Hill opposed the applications before the OMB. Their primary concern being that "the final natural link between the east and west ends of the Moraine would have been lost" had the development proceeded.⁷⁴

At the same time as the announcement of the first reading of the Oak Ridges Moraine Conservation Act on 1 November 2001, there was an announcement of a mediated settlement that had been reached regarding applications for development in Richmond Hill. The outcome of these mediated agreements meant that 431 hectares - about 65 percent of the land to be considered for development by the OMB - would be protected as Natural Core and Natural Linkage Areas under the Oak Ridges Moraine Conservation Plan, and be placed in public ownership.⁷⁵ The original private owners would be compensated with developable lands off the Moraine, in the

town of Pickering in the Regional Municipality of Durham, just east of Toronto. Only 35 percent of the land that was subject to development proposals was designated as Settlement Areas (where development can occur) in the Plan.⁷⁶

Whilst undertaking the above mediation, the negotiators saw the opportunity to protect additional adjacent land that contained the headwaters of the Rouge and Humber Rivers and other important natural heritage features. The owners of the land agreed to dedicate 119 hectares of land designated as Natural Core Areas to the park and public ownership, in exchange for the redesignation of 140 hectares of land owned by the developer from Countryside Area to Settlement Area.⁷⁷

2.6.5 Oak Ridges Moraine Foundation

The Oak Ridges Moraine Foundation (the Foundation) was first announced in November 2001 and formally established in March 2002 to “provide support and encouragement for activities that preserve, protect, and restore the environmental integrity of the ORM and support a trail along it”.⁷⁸ It funds public education, research, monitoring and a continuous recreational trail along the length of the Moraine.⁷⁹ The province of Ontario has allocated an initial \$15 million (Canadian) to the Foundation. This money is intended to help the Foundation’s interim board of directors develop programmes, determine actual funding requirements and seek partnership funding.⁸⁰ The Foundation’s interim directors include the science director of the Nature Conservancy of Canada,⁸¹ deputy minister of Natural Resources, a board member of Ontario’s Living Legacy Trust,⁸² chief administrative officer of the Central Lake Ontario Conservation Authority⁸³ and the director of the Schulich School of Business at York University.⁸⁴

2.6.6 Rights and responsibilities of indigenous people

The implementation notes of the Moraine Plan state:

The policies of the Plan do not affect any Aboriginal or treaty right recognized or affirmed by the Constitution Act. The Ontario government shall consult with Aboriginal peoples about decisions that may affect the use of Crown land and resources that are subject to Aboriginal and treaty rights within the Oak Ridges Moraine. (p. 9)

The Plan does not cover Reservations because these are federally regulated native reserves that do not come under provincial jurisdiction. However, there is a commitment to consult with the Aboriginal peoples about decisions that would affect lands that are subject to treaty rights on the Moraine.⁸⁵ Recently, Chief Goose of the Mississaugas of Scugog First Nations asserted that the Williams Treaty (date unknown) leaves the easternmost part of the Moraine in questionable ownership. The United Anishnaabeg Council (comprising eight First Nations) claim that their territory was never formally settled. It is possible that the First Nations may challenge some of the restrictive policies of the Plan.⁸⁶

2.7 Summary

2.7.1 Issues with the previous planning approach

- Cross-municipality boundary management lacked an integrated, comprehensive approach.
- Confusion over the provincial interest and lack of provincial-led planning.
- Confusion over who should carry planning responsibility - municipalities or the province.
- Failure to implement intention and values of provincial planning at a municipal level.
- Review of applications for development by OMB not seen to require strict adherence to policy documents.

- Ad hoc decision making via OMB hearings as a result of inconsistent interpretation of the provincial intention.
- Management of the Moraine has major implications for adjacent and adjoining areas.
- Environmental impacts felt beyond jurisdictional boundaries not catered for in management framework.
- Cumulative effects not managed, and presenting a serious threat to ecological integrity of the Moraine, ecological services, and quality of life of Moraine residents and recreational users.
- Development pressure resulting in adverse impacts on ecology and greenspace.

2.7.2 Characteristics of the new planning approach

Notable characteristics of the new management approach include:

- Area-specific legislation.
- Ecosystem-based plan philosophy.
- Prescriptive planning approach.
- Public ownership of key areas.
- Compensation for loss of development rights where development proposals were already under consideration before the OMB.
- Planning done at provincial level and to be implemented at regional and municipal level.
- Substantial research to support plan development.
- The Moraine Plan is seen as the catalyst for 'smart growth' throughout Ontario.
- An integration of land-use planning with a range of additional management tools, including guidelines, strategies, and education.

List of abbreviations and acronyms

ANSI	Areas of Natural and Scientific Interest
EBR	Environmental Bill of Rights
ECO	Environmental of Commissioner of Ontario
FON	Federation of Ontario Naturalists
GTA	Greater Toronto Area
MMAH /MAH	Ministry of Municipal Affairs and Housing
NEP	Niagara Escarpment Plan
NGO	Non-governmental organisation
OMB	Ontario Municipal Board
ORMCP	Oak Ridges Moraine Conservation Plan
PPS	Provincial Policy Statement (for Ontario)
STORM	Save the Oak Ridges Moraine Coalition
The Escarpment	Niagara Escarpment
The Foundation	Oak Ridges Moraine Foundation
The Guidelines	Implementation Guidelines: provincial interest on the Oak Ridges Moraine Area of the Greater Toronto Area
The Moraine	Oak Ridges Moraine
The Plan/Moraine Plan	Oak Ridges Moraine Conservation Plan
The Strategy	The Oak Ridges Moraine Strategy for the Greater Toronto Area: an ecosystem approach for long-term protection and management, 1994
TWC	Technical Working Committee

Useful websites

Ministry of Municipal Affairs and Housing
Oak Ridges Moraine Conservation Plan and zoning maps

www.mah.gov.on.ca

Environmental Commissioner of Ontario
Concise description and comment on the new ORM Conservation Plan

www.eco.on.ca

Federation of Ontario Naturalists (FON)
www.ontarionature.org

Save the Oak Ridges Moraine Coalition (STORM)
www.storm.co.org

Appendices

The appendices can be viewed on the Parliamentary Commissioner for the Environment's website at www.pce.govt.nz.

- 2A Timeline of significant events and reports leading to change of planning approach
- 2B Pre-2001 legislative and planning framework
- 2C Environmental Bill of Rights
- 2D UNESCO World Biosphere Reserves
- 2E Niagara Escarpment Plan Review

¹ Parliamentary Commissioner for the Environment. 2001. *Managing Change in Paradise: sustainable development in peri-urban areas*.

² The Commissioner's recent report *Creating Our Future: Sustainable Development for New Zealand* points out:
The extensive criticisms of the RMA have largely been about process, rather than the substance of the Act, and the broader goal of advancing the country towards sustainability has largely been forgotten in disputes over detail with the RMA. The RMA was a farsighted piece of legislation. However other mechanisms are also needed to advance sustainable development.

Parliamentary Commissioner for the Environment. 2002, p. 121.

³ Parliamentary Commissioner for the Environment. 2001, op. cit., p. 91.

⁴ Oak Ridges Moraine Conservation Plan (ORMCP).

⁵ Oak Ridges Moraine Conservation Plan.

⁶ Debbe Crandall, STORM (Save the Oak Ridges Moraine) Coalition.

⁷ Oak Ridges Moraine Conservation Plan.

⁸ Kettle lake - a water-filled depression in glacial drift, especially outwash formed by the melting of a detached block of stagnant ice that was buried in the drift. (Source: *Dictionary of Geological Terms* prepared by the American Geological Institute.)

Provincially significant wetland - is one that has been

- evaluated under a points system as being especially important - they are protected under section 2.3 of the Principle Policy Statement.
- ⁹ Adams, J. and Miller, D. 2000.
 - ¹⁰ Linda Pim, pers. comm. ORMCP.
 - ¹¹ Areas of Natural Scientific Interest (ANSI) are designated by the Ontario Government. Areas of Natural Scientific Interest are areas of land and water recognised by the Ontario Government as containing natural landscapes or features that have been identified as having values related to natural heritage protection, scientific study or education. Areas of Natural Scientific Interest vary in their level of significance and their vulnerability to environmental impact. They may be classified as either regionally or provincially significant. The 'ANSI' is not a municipal land-use designation but rather an identification of land as having natural heritage significance that may be helpful in deciding on municipal official plan designations. (Linda Pim, pers. comm.)
 - ¹² Ministry of Natural Resources, Ministry of the Environment, Ministry of Municipal Affairs. 1991. *Implementation Guidelines: provincial interest on the Oak Ridges Moraine Area of the Greater Toronto Area*. Oak Ridges Moraine Technical Working Committee. 1994. *The Oak Ridges Moraine Strategy for the Greater Toronto Area: an ecosystem approach for long-term protection and management*, 1994.
 - ¹³ Ministry of Natural Resources, Ministry of the Environment, Ministry of Municipal Affairs, 1991, *ibid*.
 - ¹⁴ Oak Ridges Moraine Technical Working Committee, 1994, *op. cit*.
 - ¹⁵ Ministry of Natural Resources, Ministry of the Environment, Ministry of Municipal Affairs, 1991, *op. cit*.
 - ¹⁶ Oak Ridges Moraine Conservation Plan.
 - ¹⁷ <http://www/dbic.com/guide/tm7-1.html>.
 - ¹⁸ Barb Konyi, MMAH, pers. comm. via email. 16/10/02 - all information in paragraph quoted or paraphrased.
 - ¹⁹ Pim, L. and Beck, G. 2002. Saving the Moraine. *Seasons*. Spring.
 - ²⁰ Pim and Beck, 2002, *op. cit*.
 - ²¹ Pim and Beck, 2002, *op. cit*.
 - ²² The Federation of Ontario Naturalists (FON) - a conservation organisation established in 1931 representing 25,000 members and over 120 member groups across Ontario. Undertakes research, conservation action and education aimed at protecting Ontario's natural environment. The Federation has a network of habitat and wildlife reserves.
 - ²³ Provincial Policy Statement. 1996 revised. 1997 version.
 - ²⁴ The three principles of the PPS are:
 1. *managing change and promoting efficient, cost-effective development and land use patterns which stimulate economic growth and protect the environment and public health*
 2. *protecting resources for their economic use and/or environmental benefits; and*
 3. *reducing the potential for public cost or risk to Ontario's residents by directing development away from areas where there is a risk to public health or safety or of property damage.*Provincial Policy Statement, *op. cit.*, p. 1.
 - ²⁵ This requirement was briefly strengthened in 1995-1996 to require municipal plans be "consistent with" the PPS, but was then reverted back to the lesser requirement of "shall have regard to", in 1996 with the change in provincial government and subsequent amendment of the Planning Act 1996.
 - ²⁶ Debbe Crandall, pers. comm.
 - ²⁷ Ministry of Natural Resources, Ministry of the Environment, Ministry of Municipal Affairs, 1991, *op. cit*.
 - ²⁸ Oak Ridges Moraine Technical Working Committee, 1994, *op. cit*.
 - ²⁹ Cited in Adams and Miller. 2000. Schedule A.
 - ³⁰ Letter to the applicants from the Minister of Municipal Affairs and Housing, Minister of Natural Resources, Minister of the Environment responding to the application for review. 29 May 2000.
 - ³¹ Environmental Commissioner of Ontario. (Date unknown.)
 - Review of Applications R99011-16: Oak Ridges Moraine Review Denied by MMAH, MOE and MNR, p. 4.
 - ³² Ministry of Municipal Affairs and Housing. 2002a. The Proposed Oak Ridges Moraine Conservation Plan.
 - ³³ Oak Ridges Moraine Conservation Plan.
 - ³⁴ Oak Ridges Moraine Conservation Plan.
 - ³⁵ Oak Ridges Moraine Conservation Plan.
 - ³⁶ Oak Ridges Moraine Conservation Plan.
 - ³⁷ Ministry of Municipal Affairs and Housing. 2002b. Province Release Oak Ridges Moraine Conservation Plan.
 - ³⁸ Barb Konyi, pers. comm.
 - ³⁹ In Ontario the upper-tier municipalities (regions) have the power to approve lower-tier municipalities' official plans and most planning decisions.
 - ⁴⁰ Barb Konyi, pers. comm. via email. 16/10/02.
 - ⁴¹ Barb Konyi, pers. comm. via email. 16/10/02.
 - ⁴² Lisa Shultz, pers. comm. via email. 23/10/02.
 - ⁴³ Ministry of Municipal Affairs and Housing. 2002c. Refinements Clarify Oak Ridges Moraine Conservation Plan.
 - ⁴⁴ Oak Ridges Moraine Conservation Plan, p. 3.
 - ⁴⁵ Oak Ridges Moraine Conservation Plan, p. 4.
 - ⁴⁶ Oak Ridges Moraine Conservation Plan, p. 15.
 - ⁴⁷ Oak Ridges Moraine Conservation Plan.
 - ⁴⁸ The information in this table is largely quoted from Pim and Beck, 2002. With additional information from the Ministry of Municipal Affairs and Housing, 2001a, *op. cit*.
 - ⁴⁹ Oak Ridges Moraine Conservation Plan.
 - ⁵⁰ Peterborough and Northumberland Counties, City of Kawartha Lakes.
 - ⁵¹ Linda Pim, pers. comm.
 - ⁵² Oak Ridges Moraine Conservation Plan, s14(2) and s14(3), p. 34.
 - ⁵³ Oak Ridges Moraine Conservation Plan, s16(1)a, p. 25.
 - ⁵⁴ Ministry of Municipal Affairs and Housing, 2001b, *op. cit*.
 - ⁵⁵ The requirements of which are set out in s25 of the Plan.
 - ⁵⁶ Oak Ridges Moraine Conservation Plan, s24(3)a-f, p. 32.
 - ⁵⁷ Oak Ridges Moraine Conservation Plan, s22(2), p. 30.
 - ⁵⁸ Oak Ridges Moraine Conservation Plan, s22(3), p. 30.
 - ⁵⁹ Oak Ridges Moraine Conservation Plan, s23(1)a-f, p. 31.
 - ⁶⁰ Oak Ridges Moraine Conservation Plan, 26(4). Debbe Crandall, pers. comm.
 - ⁶¹ Oak Ridges Moraine Conservation Plan, s30, pp. 38-39.
 - ⁶² This requires:
 - (a) *maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;*
 - (b) *limiting the portion of the net developable area of the site that is disturbed to not more than 25 percent of the total area of the site [50 percent for Category 2]; and*
 - (c) *limiting the portion of the net developable area of the site that has impervious surfaces to not more than 15 percent of the total area of the site [20 percent for Category 2].*Oak Ridges Moraine Conservation Plan, s30(5)a-c, p. 39.
 - ⁶³ That is four or more lot subdivision, a building of 500m² floor size, or a major recreational use (see ORMCP, s38).
 - ⁶⁴ Oak Ridges Moraine Conservation Plan, p. 7.
 - ⁶⁵ Oak Ridges Moraine Conservation Plan, p. 9.
 - ⁶⁶ Barb Konyi, pers. comm.
 - ⁶⁷ Oak Ridges Moraine Conservation Plan, p. 9.
 - ⁶⁸ Oak Ridges Moraine Conservation Plan, p. 10.
 - ⁶⁹ Oak Ridges Moraine Conservation Plan, p. 10.
 - ⁷⁰ Environmental Commissioner of Ontario. 2002. Review of Posted Decision: Oak Ridges Moraine Conservation Act, 2001 (Bill 122) in 2001-2002 Annual Report Supplement - Developing Sustainability, p. 123. www.wco.on.ca/english/publicat/ar2001su.pdf.
 - ⁷¹ Environmental Commissioner of Ontario, *ibid.*, p. 123.

- ⁷² Ministry of Municipal Affairs and Housing, 2002a, *op. cit.*
- ⁷³ Ministry of Municipal Affairs and Housing, 2002a, *ibid.*
- ⁷⁴ Ministry of Municipal Affairs and Housing, 2002a, *ibid.*
- ⁷⁵ Ministry of Municipal Affairs and Housing, 2002a, *ibid.*
- ⁷⁶ Ministry of Municipal Affairs and Housing, 2002a, *ibid.*
- ⁷⁷ Ministry of Municipal Affairs and Housing, 2002a, *ibid.*, and Debbe Crandall, pers. comm.
- ⁷⁸ Barb Konyi, pers. comm.
- ⁷⁹ Ernie Eves, Premier, Ontario Government. 2002: Oak Ridges Moraine Foundation will receive \$15 million to preserve Moraine for future generations: Eves. 24 May. Ontario: <http://www.premier.gov.on.ca/english/news/Moraine052402.htm>.
- ⁸⁰ Ernie Eves, *ibid.*
- ⁸¹ The Nature Conservancy Canada is a national charitable organisation working to preserve ecologically significant areas through purchase, donations and conservation easements. Since 1962 it has secured a long-term future for some 1.67 million acres of woodlands, seashores, wetlands and prairies. <http://www.natureconservancy.ca>.
- ⁸² Ontario's Living Legacy Trust is an 'arm's length' organisation overseeing a \$30 million (Canadian) fund established in 1999. It has a five-year sunset date with funding to be completed in 2004. The fund was established by the Province of Ontario for investment in natural resource management projects. Two-thirds of the funds go toward improving forest management, with the remaining third allocated to fish and wildlife access and resource management. http://www.livinglegacytrust.org/about_03.html.
- ⁸³ Established in 1958, the Central Lake Ontario Conservation Authority has a mandate to establish and undertake programmes to promote conservation, restoration, development and management of natural resources in partnership with local municipalities and the Province, with a focus on watershed resources. <http://www.cloca.com/>.
- ⁸⁴ Ernie Eves, Premier, Ontario Government, 2002, *op. cit.*
- ⁸⁵ Barb Konyi, pers. comm.
- ⁸⁶ Linda Pim, pers. comm. Debbe Crandall, pers. comm.

Section 3

Cape Peninsula, South Africa

3.1 Introduction

This case study looks at land management approaches that are being used on the Cape Peninsula in South Africa. A prominent feature of this area is the high biodiversity, and great number of endemic plant species, which make the area of interest internationally. Pressure on the area comes from the expansion of the city of Cape Town. In addition, high poverty and unemployment add pressure to the natural resources because of unauthorised resource use and informal settlements in natural areas.

A large proportion of the Peninsula now forms the Cape Peninsula National Park (hereafter referred to as 'CP National Park' - this term is used to relate to both the Park and the Park management), protected under the South Africa National Parks Act 1976. This case study also illustrates an approach where environmental management of an area can be applied to both publicly and privately owned land, and where different management approaches are proposed depending on the environmental sensitivity of areas within and around the CP National Park.

This chapter describes the Cape Peninsula area, the relevant planning authorities and the events leading to the creation of the CP National Park. This is followed by a description of the relevant planning documents that have been developed for the CP National Park and surrounding metropolitan area, strategies for the acquisition of private land, and the management of pressures from outside the CP National Park.

3.2 History and description of the area

Lying at the south-western tip of Africa, the Cape Peninsula National Park encompasses the incredibly scenic Peninsula mountain chain stretching from Signal Hill in the north to Cape

Point in the south - a distance of approximately 60km. The narrow finger of land with its many beautiful valleys, bays and beaches is bound by the waters of the Atlantic Ocean in the west and the warmer waters of False Bay in the east. It has within its boundaries two world-renowned landmarks - majestic Table Mountain and the legendary Cape of Good Hope. These were both important beacons for the early explorers. Many myths and legends have sprung from them. Recognised globally for its extraordinarily rich, diverse and unique flora, this singular land formation - with rugged cliffs, steep slopes and sandy flats - is a truly remarkable natural, scenic, historical, cultural and recreational asset both locally and internationally. Nowhere else in the world does an area of such spectacular beauty and such rich bio-diversity exist almost entirely within a metropolitan area - the thriving and cosmopolitan city of Cape Town.⁸⁷

... Cape Point is an 8000-hectare narrow promontory of land jutting into a stretch of open sea popularly believed to be the meeting point of the Atlantic and Indian oceans. The peninsula, situated 60km southwest of Cape Town, is characterised by towering sea cliffs, the highest in South Africa, which reach a height of 249m (817ft). Criss-crossed by spectacular walks and trails, the area also features whale and penguin watching, tidal pools, over a thousand species of indigenous plants and a variety of mammals, such as baboon and buck. Popular activities around Cape Point also include abseiling, parasailing, horseriding and surfing.

Table Mountain ... stands in the middle of Cape Town and defines the downtown area, with the forested ravines of its eastern buttresses flanking the southern suburbs. So named for its flat top, the mountain rises to a height of 1086m. Maclear's Beacon was erected on the top in 1843 by astronomer Sir Thomas Maclear, who used it to obtain a more accurate

measurement of the earth's circumference. Since 1929, a cable car has carried visitors up to the summit, which offers spectacular views of the city and its beaches. The mountain is also home to an indigenous rodent-like creature called the Rock Hyrax or 'dassie', the closest living relative to modern elephants.⁸⁸

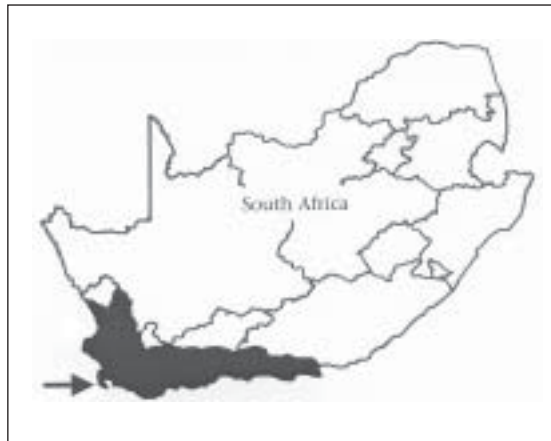
The Cape Peninsula⁸⁹ is in the Western Cape Province of South Africa, and is about 471 kilometres² (figure 3.1). It has a Mediterranean climate, being wet in winter, and warm and dry in summer. The Cape Peninsula is within the Cape Floral Kingdom (figure 3.2), which is one of the world's six floral kingdoms, each of which contains its own unique groups of plants. The Cape Floral Kingdom, predominantly composed of fynbos communities,⁹⁰ is the smallest of these, and is the only one found entirely within a single country.⁹¹ It contains more types of indigenous plants than any other similar sized area on earth. Nearly 6,000 of the 8,600 plant species are unique to the Cape Floral Kingdom. The Cape Peninsula has over 2,280 plant species, of which 90 are endemic, and 141 are threatened.⁹²

Figure 3.1: The Cape Peninsula



Source: Cape Peninsula National Park website: <http://www.cpnnp.co.za>.

Figure 3.2: The Cape Floral Kingdom, shown in black (the arrow indicates the Cape Peninsula)



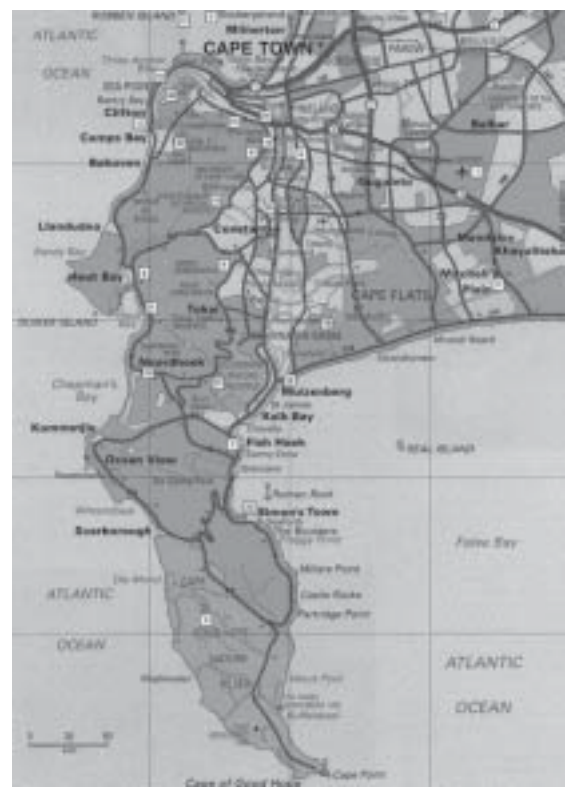
Source: Younge, A. 2000. *A biodiversity strategy and action plan for the Cape Floral Kingdom*.

Prehistoric people are thought to have first occupied the Cape Peninsula at least 200,000 years ago.⁹³ The San (or Bushmen), who were hunter-gatherers, inhabited the Peninsula at least 20,000 years ago.⁹⁴ About 2000 years ago the Khoikhoi migrated to the area from the north, bringing cattle and sheep, and displaced the San. They were dominant when the Dutch arrived in 1652. The Dutch transformed the lowland areas of the northern Peninsula significantly, converting large areas to agriculture, and establishing plantations of exotic tree species.⁹⁵ The gradual expansion of the Dutch into the southern part of the Peninsula, along with a small pox epidemic, led eventually to the social and economic disintegration of the Khoikhoi on the Peninsula by 1713.

The City of Cape Town surrounds most of the Cape Peninsula that is not bordered by ocean (figure 3.3). The city is about 50 kilometres north of the Cape of Good Hope, on the Cape Peninsula, which is the southern most part of southwestern South Africa. The population has grown rapidly since the 1960s, when it was 500,000,⁹⁶ to a population of 2.56 million at the 1996 census,⁹⁷ and the current population of about 3.1 million. This increase was because of the repeal in the 1980s of discriminatory legislation introduced during the apartheid era to prevent black people moving to the Western Cape.⁹⁸ About half the

current population is coloured (people of mixed race), whites and blacks each make up a quarter of the population, and about 2 percent are Asian.⁹⁹ Most coloureds speak Afrikaans, whites speak both Afrikaans and English, and blacks speak predominantly Xhosa as a first language.

Figure 3.3: The Cape Metropolitan Area (lighter areas indicate urban development)



Source: <http://www.capetowncottage.com/Images/Maps/cape-peninsula.gif>.

Figure 3.4: The provinces of South Africa



Source: <http://www.banyantravel.com>.

3.3 Local and provincial government

South Africa is divided into nine provinces, and of these the Western Cape Province contains the Cape Peninsula (figure 3.4). Figure 3.5 shows how the provinces fit into the overall government structure.¹⁰⁰ Each province has a premier who, along with a number of members, compose the Executive Council of the province. Provinces can have their own laws and even their own constitution. They have jurisdiction over areas such as: agriculture, environment, nature conservation, regional planning and development, and urban and rural development.

Before the first democratic local government elections in 1996, there were 39 local authorities and 19 separate administrations responsible for governing metropolitan Cape Town.¹⁰¹ These were replaced by a two-tiered system with six local councils and a metropolitan council. In December 2000, a single Unicity Council, called the City of Cape Town, replaced all seven councils, in accordance with the Municipal Structures Act 1998.

3.4 Process of establishing the Cape Peninsula National Park

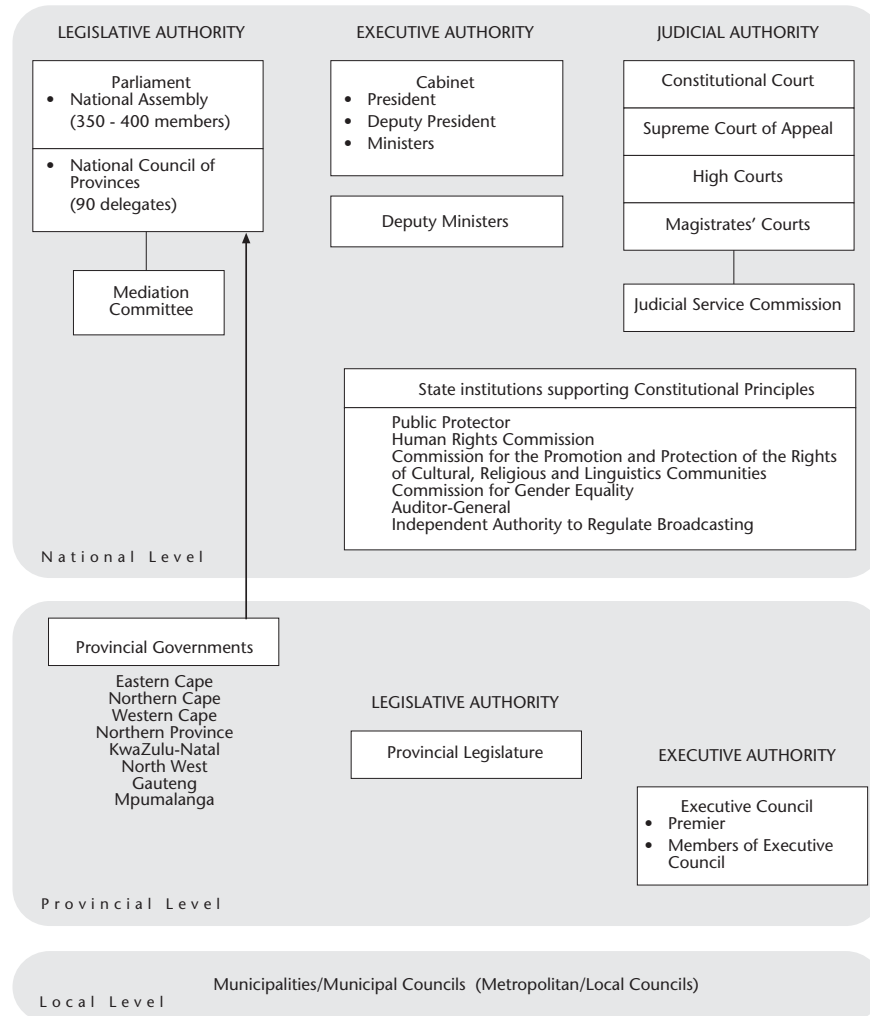
The need for a National Park on the Cape Peninsula was recognised as early as 1929, by the Wildlife Society of South Africa.¹⁰² Before 1989, the protected areas on Cape Peninsula consisted of three nature reserves - Cape of Good Hope, Silvermine and Table Mountain.¹⁰³ The Cape Peninsula Protected Natural Environment (hereafter referred to as 'Cape Peninsula PNE') was established in 1989,¹⁰⁴ following extensive efforts to secure protection for additional natural areas on the Peninsula (figure 3.6). The Cape Peninsula PNE was established in terms of the Environment Conservation Act 1989¹⁰⁵ and the powers of the national Minister of the Environment have been delegated to the Provincial Member of the Executive Council for the Environment.¹⁰⁶ Sixty percent (29,000 hectares)¹⁰⁷ of the Cape Peninsula was designated to the Cape Peninsula PNE. This

designation gives the area some protection from development, requires that a permit be obtained from the Premier of the Western Cape before a structure can be built or altered, or a property subdivided, and is in addition to any permission needed from the local authority.¹⁰⁸

The Cape Peninsula PNE was composed of privately owned land, and land owned by central and provincial government, the municipality of Cape Town, a state-owned forestry company, the National Botanical Institute, and the South African National Defence Force, along with some private nature reserves that had been proclaimed by landowners.¹⁰⁹ The majority of the land was publicly owned (80 percent), and the remaining 20 percent was divided amongst over 150 private landowners.¹¹⁰

There were problems with coordinating the management of the Cape Peninsula PNE, because of the multiple land ownership of the area.¹¹¹ In 1993, a study was carried out by the Environmental Evaluation Unit of the University of Cape Town, to provide guidance for how the Cape Peninsula PNE should be managed.¹¹² This study recommended that South Africa National Parks (SANParks) be given the responsibility for managing this area. The recommendation was approved,¹¹³ and the Cape Peninsula National Park was subsequently established in 1998, following negotiations between SANParks and public authorities that held land in the Cape Peninsula PNE. At this time, 16,000 hectares of public and private land was proclaimed as the CP National Park.¹¹⁴ Now, over 70 percent (22,000 hectares) of the Cape Peninsula PNE is controlled by SANParks.¹¹⁵ About three-quarters of the land in the Cape Peninsula PNE that is not yet part of the CP National Park is privately owned.¹¹⁶ SANParks aim to incorporate as much of the Cape Peninsula PNE as possible into the CP National Park (figure 3.7 shows the relationship between these two areas). Figure 3.8 shows the current proportion of land ownership and management within the Cape Peninsula PNE.

Figure 3.5: Structure of South African Government



Source: <http://www.gov.za/structure/diagram.htm>.

Figure 3.6: The Cape Peninsula Protected Natural Environment



Source: Cape Peninsula National Park website: <http://www.cnp.co.za>.

Figure 3.7. The CP National Park (dark) and the Cape Peninsula PNE (shaded), in relation to urban areas



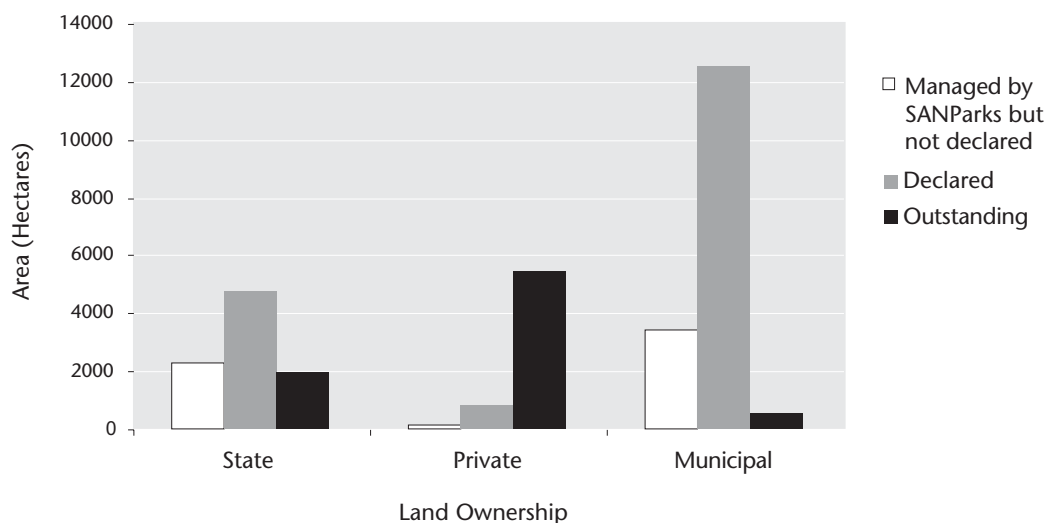
Source: Cape Peninsula National Park. 2001a. *Conservation Development Framework for the Cape Peninsula National Park*.

SANParks does not have control over development outside of the declared area of the Park. Thus, CP National Park management are conducting a concerted campaign at getting land into the Park by purchase or by contractual management agreements (see section 3.6). When a property has

development rights the purchase price is often beyond their means, so instead the CP National Park management attempt to control any development occurring on the property. However, the Cape Peninsula PNE has proved ineffective in controlling development on the Cape Peninsula.¹¹⁷ This is because in some cases developers have been able to get around the development restrictions in the Cape Peninsula PNE, by first obtaining subdivisional rezoning for which a permit is not required from Cape Town City Council, and then applying to the provincial administration of the Western Cape who administer the Cape Peninsula PNE for a permit to implement the subdivision.¹¹⁸ If the Cape Peninsula PNE permit is declined, the applicant can apply to the courts for compensation, so rather than decline an application for a permit the provincial government has historically issued permits that place conditions and restrictions on developments. However, a recent court judgement ruled that such permits are ultra vires. This has effectively invalidated the Cape Peninsula PNE as a means of managing development.¹¹⁹

The CP National Park Committee is appointed by the Minister of Environmental Affairs and Tourism, and is made up of politicians and non-government organisations. The Committee gives policy advice to the CP National Park management.¹²⁰ Community groups are consulted during the planning process, and can participate in a volunteer programme, but are not involved in the daily management decisions.¹²¹

A long-term strategy for biodiversity conservation for the whole Cape Floral Kingdom, known as the Cape Action Plan for the Environment (CAPE) has been developed, and is described in more detail in box 3.1.

Figure 3.8: Land management within the Cape Peninsula Protected Natural Environment

Source: P. Britton. 2002. *Manager Planning, Cape Peninsula National Park*, pers. comm.

Box 3.1: Cape Action Plan for the Environment

The Cape Action Plan for the Environment was developed over a two-year period beginning in 1998, with the intention of developing a long-term strategy for biodiversity conservation for the Cape Floral Kingdom.¹²⁸ The project has been possible because of the contribution from the Global Environmental Facility, and is managed by the South African branch of the World Wide Fund for Nature (see their website at www.panda.org.za for more details).¹²⁹

The main aims of the project were to:¹³⁰

- Identify conservation priorities, based on assessments of biodiversity and threats.
- Develop a long-term strategy and vision for biodiversity conservation in the Cape Floral Kingdom.
- Draft a five-year action plan and investment programme to address conservation priorities.
- Identify potential sources of funding for these activities.

The main outputs of CAPE are a strategy, and an action plan. The strategy has three components: conserving biodiversity; promoting sustainable use; and strengthening institutions. Specific objectives for the first component are “to establish an effective reserve network, enhance off-reserve conservation, and support bio-regional planning”.¹³¹ A portfolio of projects has been developed to fulfil these objectives.¹³² The action plan integrates the components of the strategy, and identifies priorities.

3.4.1 Funding of the Cape Peninsula National Park

Following the political changes in South Africa after the first democratic elections of 1994 at the end of the apartheid era, fewer funds have been available for conservation because of priority being given to social and economic development spending.¹²² Therefore the Park must look for funding other than that allocated by the State to provide the annual operating cost of 40 million South African Rand (approximately NZ\$8.7 million¹²³).

Funding has been obtained to cover the first six years of operation of the CP National Park.¹²⁴ This funding has come from the councils who formerly owned the public land incorporated into the Park, the Global Environmental Facility (GEF),¹²⁵ and Fonds Français pour l'Environnement Mondial (FFEM), a French funding agency. Income is also obtained from admission fees to selected areas of the Park, from harvesting of pine plantations, from companies who lease park land, and from companies using the Park for product launches and commercial filming.

The Government's 'Working for Water' programme gives funding on an ad hoc basis for projects to clear alien vegetation, using local disadvantaged communities.¹²⁶ The Table Mountain Fund, a biodiversity conservation trust administered by the South African branch of the World Wide Fund for Nature (WWF-SA), the CP National Park and the Park Committee, generates annual interest, which is used to fund projects on the Cape Peninsula, as well as in other areas of the Cape Floral Kingdom.

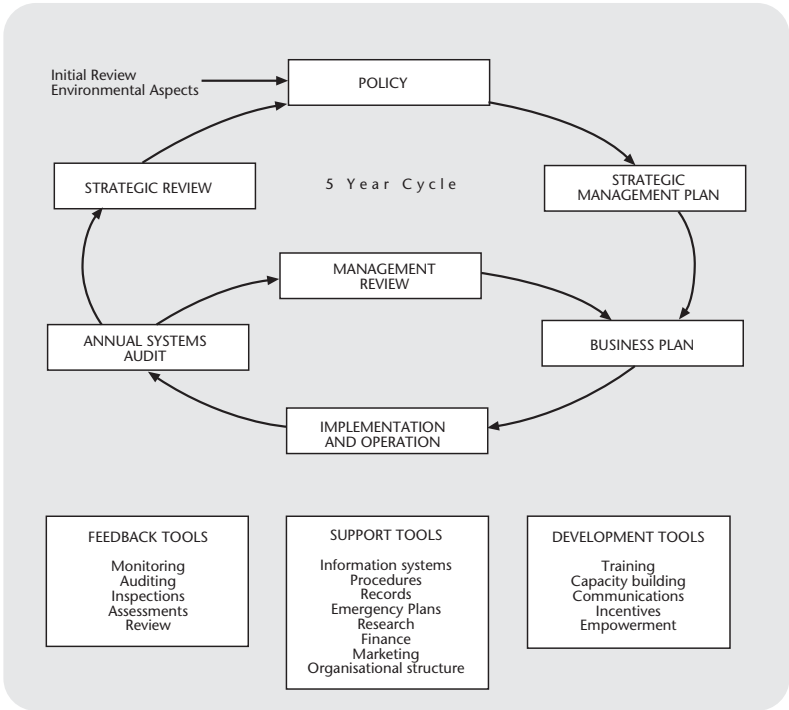
A recent proposal suggested that an annual entry card (called a 'Go Green' card), for which a fee is paid, and that is currently required for admission to specific sites in the park, be made compulsory for all park users. The attempt to introduce a compulsory card for access was rejected by the CP National Park Committee, but a marketing campaign will be launched to encourage as many people as possible to acquire the card, which is to be expanded to give discounts to card holders for selected attractions and facilities on the Cape Peninsula, and free access to other national parks in the Western Cape.¹²⁷

3.5 Planning documents for Cape Peninsula National Park

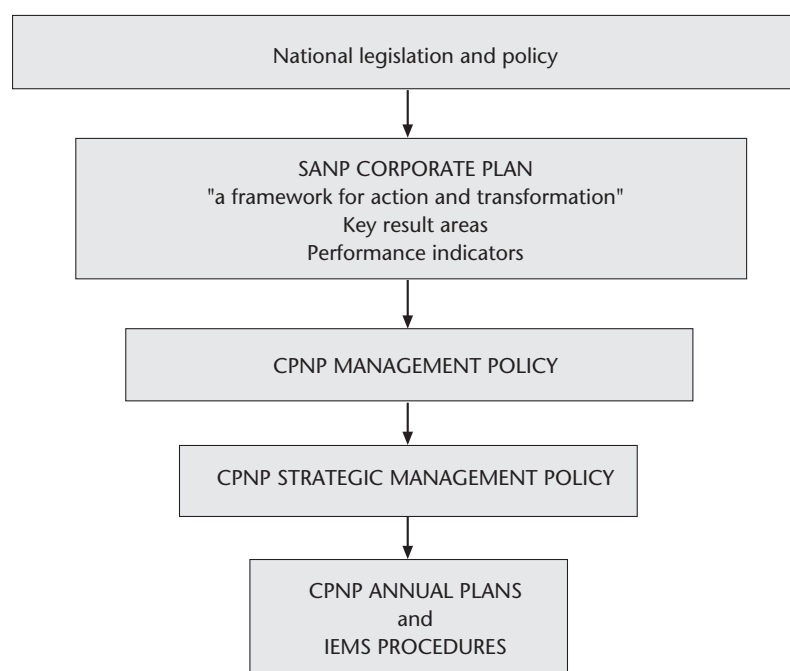
3.5.1 Integrated Environmental Management System

The Integrated Environmental Management System (IEMS) is defined as "[a] systematic approach to dealing with the management aspects of the [CP National Park] to plan proactively for the future and to control the impact of its activities, products or services on the

Figure 3.9: Structure of Integrated Environmental Management System



Source: Cape Peninsula National Park. 1999. Management Policy.

Figure 3.10: Relationship of Integrated Environmental Management System products

Source: Cape Peninsula National Park. 2001b. *Strategic Management Plan*.

environment”.¹³³ The objectives and implementation of this approach are outlined in the National Environmental Management Act 1998.¹³⁴ The process has multiple stages, starting with an Initial Environmental Review, which is followed by the development of a Management Policy, a Strategic Management Plan, and the procedure for implementing the Strategic Management Plan (figure 3.9).

The development of the Management Policy and the Strategic Management Plan are important steps in this iterative process.¹³⁵ Both of these documents will be reviewed every five years, and there is an annual review of the management, systems, and business plans. Figure 3.10 shows the relationship of the IEMS products. The main planning documents for the CP National Park are listed in table 3.1.

3.5.1.1 Management policy

The CPNP Management Policy provides an overarching framework for Park management, and

guides the development of the Strategic Management Plan, annual plans and management procedures.¹³⁶ It defines a vision, principles, goals and objectives for the management of the Park. It defines the course of action to achieve the well-being of the ecological, economic and social environment of the Park.

3.5.1.2 Strategic management plan

The CPNP Strategic Management Plan prioritises the goals and objectives as identified in the Management Policy, and outlines the focus for the Park management team for the next five years.¹³⁷ Key result areas, which are strategic priorities for the Park management, are identified, along with strategies for achieving these, but details of specific activities are not included. There are 12 key result areas, including Park establishment, proactive conservation planning and development, cultural heritage resource management, community partnerships and benefits and financial sustainability. For each key



result area the following are specified: strategies; actions; deliverables; indicators; time frame; and implementing department.

One of the required strategies is to “establish and maintain a GIS-based database of Park information to facilitate strategic and operational decision making”.¹³⁸ The CP National Park managers make use of custom-designed Geographic Information System (GIS) tools to inform their decisions.¹³⁹

Table 3.1: Planning documents for CP National Park

Integrated Environmental Management System <ul style="list-style-type: none">• Management Policy - December 1999• Strategic Management Plan 2000-2004 - August 2001
Conservation Development Framework (CDF) <ul style="list-style-type: none">• Conservation Development Framework - March 2001
CDF supporting documents <ul style="list-style-type: none">• Towards a Conservation Development Framework - June 2000• Towards a CDF Comments and Responses Report - August 2000• Draft Conservation Development Framework - November 2000• CDF Comments Report - January 2001• Supporting Maps
Other documents <ul style="list-style-type: none">• Strategy for Private Land Consolidation - December 2001• Environmental Management Plan for Mountain Cycling in the CPNP - January 2002• Environmental Management Plan for Walkers accompanied by Dogs in the CPNP - May 2002• Cape Peninsula Marine Park Proposal - February 2001• Development proposals for specific sites

3.5.2 Conservation Development Framework

The Conservation Development Framework (CDF) is an outcome of the Integrated Environmental Management System developed for the CP National Park by SANParks.¹⁴⁰ The production of this document was a requirement of the Management Policy. The CDF focuses on spatial land-use considerations. The three main components of the CDF are use zones, managing the park-city interface and managing visitor sites.

The CDF has been prepared in line with the principles and policies of the Metropolitan Spatial Development Framework, in particular with its Urban Edge and Metropolitan Open Space System components, which are discussed in more detail in section 3.7.2. The current land-use plans for the Cape Peninsula were prepared before the establishment of the CP National Park, so the CDF will assist with the review and updating of these plans, and with guiding land-use management in the park-city interface. The CDF has been useful to Cape Town City Council staff in terms of signalling where development should and should not occur.¹⁴¹

3.5.2.1 Use zones

The Cape Peninsula PNE has been divided into four defined use zones, each of which is characterised by its tolerance to change and carrying capacity, and the quality of human experience desired in that zone. The four zones are:

- Remote Zones.
- Quiet Zones.
- Low Intensity Leisure Zones.
- High Intensity Leisure Zones.

The use zone mapping was developed from two studies, which were carried out in 1994 by the Environmental Evaluation Unit of the University of Cape Town and in 1996, by a private planning consultancy, and the South African Council for Scientific and Industrial Research (CSIR). The recommendations of the 1994 study led to the

decision that desirable human use of an area in the Cape Peninsula PNE should be determined by the management objectives of that area. The 1996 study followed up on this by demarcating the Cape Peninsula PNE into use zones. Originally, the zones covered only areas within the Cape Peninsula PNE, including publicly and privately owned land, but this was later extended to include surrounding urban and agricultural areas (see section 3.5.2.2).

The Remote Zones are the core natural areas of the Cape Peninsula, making up the majority of the Park. In these areas conservation priorities take precedence over human activities. These zones have been the least modified by humans. The activities allowed should not detract from the remoteness of the environment, and access will usually be on foot. No new permanent structures should be erected in these zones, and no new development rights should be granted.

Quiet Zones have been more modified than Remote Zones, but are still essentially places of quietness and naturalness. Often, this zone will be the interface or buffer between built and natural environments. The priority for management of these areas, as for the Remote Zones, is to retain the natural and undisturbed qualities of the area. This zone is substantially smaller than the Remote Zone. A very restrictive policy on new developments in this zone is recommended. Only limited and appropriate development that does not detract from the natural and cultural qualities of the landscape should be considered in suitable localities, and this should follow a participatory Environmental Impact Assessment (EIA)¹⁴² and Heritage Impact Assessment (HIA)¹⁴³ process.

Low Intensity Leisure Zones are more highly modified than Remote and Quiet Zones, and are to be utilised for a greater range of leisure and recreational activities so as to reduce the pressure on the more sensitive Remote and Quiet Zones. Activities should remain in keeping with the biophysical, cultural, and scenic attributes of the area. Some limited, appropriate development that

is related to tourism, recreation, and management of the Park, should be allowed in these areas.

High Intensity Leisure Zones have a similar function to the Low Intensity Leisure Zones, but human activity is more concentrated. These areas will generally have vehicle access, and act as a gateway to other use zones. These areas are very highly modified, but should still reflect the ethos and character of the Park. Therefore large-scale tourist facilities are not preferred in these areas, but should instead remain in urban areas.

Because the CDF is not a legally enforceable document, these zones are not regulations, but give guidance to the controlling agency (either Park management or the Cape Town City Council), or the private landowner, as to what management approach is suitable for each zone. The CP National Park management believe the use zones have been useful for them for discouraging proposals for development.¹⁴⁴

3.5.2.2 Managing the park-city interface

The use zones were later extended beyond the Cape Peninsula PNE to the urban edge boundary (see figure 3.7), and this required the introduction of four new zones to incorporate functional areas outside the Cape Peninsula PNE which are:

- Farming.
- Peri-urban.
- Urban.
- Urban conservation village.¹⁴⁵

Draft management guidelines for each zone are defined, outlining for each: management objective; principle/guideline; management mechanism; action/programme required; and responsible party. These zones were proposed with the purpose of focusing attention on how the park-city interface should be managed. However, Paul Britton from CP National Park¹⁴⁶ feels that attempts to maintain a particular land use in an area are subject to change by political decisions. He feels that landscape areas needing protection must be added to the Park in order to ensure they are protected.

3.5.2.3 Managing visitor sites and access

A survey of people visiting the CP National Park showed that a few sites are the main focus of Park usage.¹⁴⁷ For the purpose of visitor management, these sites have been classified using the following criteria:

- Scale of patronage - divided into high volume (more than 100,000 visits per annum), medium volume (between 35,000 and 100,000 visits per annum) and low volume (less than 35,000 visits per site).
- Role of the site - these were assessed, in terms of current and future roles, into the following categories: destinations; transit; leisure; and mixed use.
- Entry point - sites serving as entry points to the Park. These include all transit sites and many mixed-use sites.
- Ecological and cultural characteristics - ecological sensitivity of sites has been rated, and a note is made of sites forming part of a cultural precinct.
- Patrons - all sites were assessed as to whether predominant use of the site is by tourists, locals or both.

These criteria were then applied to assess the current and prospective role of each site, and used as indicators of limits of acceptable change.

Development of new visitor sites is not viewed as appropriate for the CP National Park. Each site was given a priority rating, and a management action, such as noting the need to upgrade facilities at the site.

3.5.2.4 Cape Peninsula Biosphere Reserve - an option for the future

The Biosphere Reserve approach (see appendix 2D) was considered as a possible management model for the CP National Park.¹⁴⁸ Biosphere Reserves are composed of a core, buffer and transition zones, and these zones are similar to the Use Zones defined in the CDF. This means the transition to a Biosphere Reserve approach would have been partly achieved. However, it was decided not to pursue this option for three main reasons: the

approach had yet to be applied to an urban context; a new management approach at this early stage of the CP National Park's establishment could be disruptive; and Biosphere Reserves are a new concept, which are still not widely understood, so this could add to public confusion over the many environmental initiatives currently underway.

3.6 Process of acquiring private land to incorporate into the Park

In January 2000, severe fires burnt over 8,000 hectares of the Table Mountain chain on the Cape Peninsula, including at least 15 percent of the Cape Peninsula PNE. The incident raised awareness of the importance of controlling alien plant species and managing the threat from fires.^{149, 150} This resulted in national, provincial, and local government, and business, community, and NGO interest groups working together to establish the Ukuvuka Operation Firestop Campaign (Ukuvuka is a Xhosa word meaning 'to wake up'). The campaign endorses incorporation of land into the CP National Park as being the best approach for managing land in the Cape Peninsula PNE, and has been contributing to the programme for consolidating privately owned conservation-worthy land into the CP National Park. Previously, the focus has been on consolidating publicly owned land, because the negotiations tend to be more straightforward.

In December 2001, the CP National Park released the document *Managing the CPPNE: A strategy for private land consolidation*, which outlined the consolidation process for private land. Part of this process involved the appointment of a Land Negotiator, who works directly with landowners to inform them about the consolidation process, and works out an agreement regarding various options for CP National Park to be involved in the management of their land.¹⁵¹

Several options are used for managing private land in the Cape Peninsula PNE. Full contracting-in of the land means that CP National Park takes over

full environmental management for all or part of the property, while the owner retains their right to access and occupy the land. Other methods of land acquisition are land donation, purchase, expropriation (for exceptional circumstances such as deceased estate with no apparent heirs) and cooperative management arrangements.

Various incentives are offered to landowners to encourage them to 'contract' their land into the CP National Park. Reducing the cost of land ownership is not always the motivation, because some landowners are more interested in seeing their land conserved.¹⁵² The incentives offered can include:

- the CP National Park taking over responsibility for alien vegetation clearing and fire management, both of which are expensive to the landowner and a legal requirement
- rates relief
- access to SANParks specialists (for example, botanists, zoologists)
- assistance with the process for developing land not managed by the Park

- erosion control, footpath maintenance and law enforcement by Park staff
- free 'Go Green' card (see section 3.4.1).

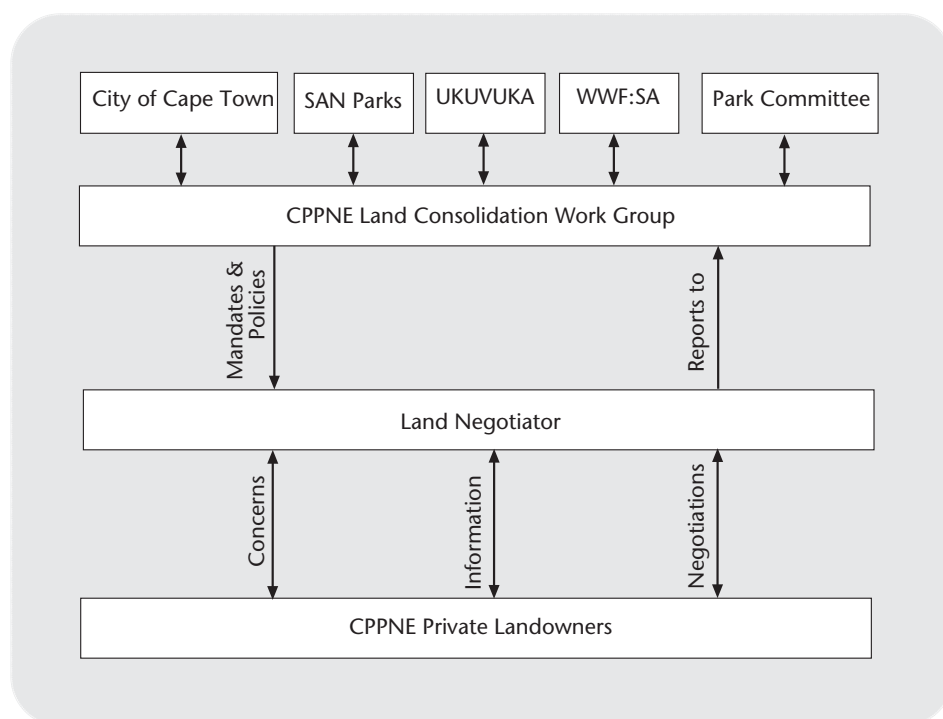
The negotiation process is managed by the Land Negotiator, who is guided by the Private Land Consolidation Working Group. Figure 3.11 shows the reporting relationships between all agencies involved in the land consolidation process. This programme is still in its early stages, and as figure 3.8 shows, there is still a large proportion of privately owned land in the Cape Peninsula PNE that is not managed by the Park, so it is too soon to assess its success.

3.7 Relevant planning documents for Cape Town Metropolitan Area

3.7.1 Integrated Metropolitan Environmental Policy

The Integrated Metropolitan Environmental Policy (IMEP) is the basis for an environmental management strategy for the City of Cape Town.¹⁵³ This policy is concerned not just with the natural environment and conservation issues but

Figure 3.11: How the agencies involved in the land consolidation process report to each other



Source: Cape Peninsula National Park. 2001c. *Managing the CPPNE: A strategy for private land*.

also with built, cultural and socio-economic factors. It contains a vision for Cape Town for the year 2020, and there is a focus on sustainable development and how this can be achieved.

3.7.2 Metropolitan Spatial Development Framework

The Metropolitan Spatial Development Framework (MSDF) was developed to guide the form and location of development in the Cape Metropolitan Area, and aims to intensify and integrate development, and contain sprawl. The four basic structuring elements of the spatial framework are: Metropolitan Urban Nodes; Metropolitan Activity Corridors (defined as a metropolitan-scale linear zone or area along major transport routes); a Metropolitan Open Space System; and Urban Edges.¹⁵⁴

The Urban Edge study aimed to define cadastrally an urban edge line that indicated the maximum permitted extent of urban development for the next 20 years, and proposed management policies and strategies for the land on either side of the line.¹⁵⁵ Management zones have been created for the areas adjoining the urban edge line. The Urban Transition Zone is an area inside the Urban Edge, where development will be controlled in order to protect the urban edge line. Aspects covered by the recommended policy proposals for this zone include open space linkages, fire protection and scenic quality. The Non-Urban Zone is the area beyond the urban edge line, for which policies are given for non-urban use. Policies proposed for this zone cover aspects such as rehabilitation, agriculture and forestry.

The Metropolitan Open Space System (MOSS) is an interconnected network of open space, and excludes areas outside the Urban Edge. Two stages of this project have been completed: establishing the process for identifying MOSS,¹⁵⁶ and the mapping of MOSS areas that should remain as open space.¹⁵⁷ Phase three of the project, which is currently underway, involves investigating management guidelines for MOSS.

3.8 Managing pressure in and around the Cape Peninsula National Park

Two major management issues for the CP National Park are invasive alien plants, and fire. Both issues relate to how land at the Park boundary is managed, and, additionally, the alien plant species contribute to the fire problem, because they are often highly combustible.¹⁵⁸ Park planners participate actively in local and regional planning, in order to reduce urban development on the Park boundaries, although to control development in the long term SANParks aims to incorporate as much land as possible into the Park.¹⁵⁹

There is a high demand for sites on the urban edge of the CP National Park, especially those with an exceptional view.¹⁶⁰ Such developments impact on the wilderness character and aesthetic appeal of the Park, as well as creating edge-effect problems, such as fires and invasive weeds, as mentioned above. A recent controversial proposal was for a new residential development on a four-kilometre stretch of privately owned land along the coast near Oudekraal, which is near Cape Town. The area has both environmental and religious value.¹⁶¹ The land was not part of the Cape Peninsula PNE, because the landowner had made a submission for it to be excluded during the establishment of the Cape Peninsula PNE.¹⁶² There was public opposition to the development, which led the Council to seek legal advice. The Council were advised that the township development rights for the area were invalid, and turned down the landowner's application. This position was confirmed by the Cape High Court after the landowner took the application to court. However, if the development rights had been valid the development would probably have gone ahead despite the public opposition. There are similar cases occurring in other areas on a smaller scale and, often, land without development rights is purchased speculatively in the hope that rights might be obtained.¹⁶³ This example suggests that the current development controls for areas outside the CP National Park have difficulty adequately controlling large-scale urban development in

sensitive areas.

There are high levels of unemployment and poverty in the Cape Metropolitan Area, which has created problems with squatters in the CP National Park.¹⁶⁴ Once these settlements are established, they are difficult to remove, because the law requires that illegal occupants can only be removed if an alternative site can be provided for them. The use of cooking fires by the squatters also contributes to the risk of wild fires. Informal settlements on the Park boundaries are expanding into the Park, which increases the risk of fire and the exploitation of natural resources. The Park is readily accessible, so informal use is very high, and often involves unauthorised use of resources by poverty-stricken people living near the protected areas. The Park has established partnerships with these communities to assist them with improving their circumstances, such as with the provision of contract work, skills training, and provision of informal trading opportunities at gateways.¹⁶⁵

Tourism pressure is also a major challenge to the management of the CP National Park.¹⁶⁶ More than half of the international tourists visiting South Africa go there (830,000 in 1999),¹⁶⁷ and it contains four of South Africa's top ten tourist attractions. Domestic visitor numbers exceed international tourists (3.8 million in 1999).¹⁶⁸ The Park policy for managing visitors is to channel visitor movement using formalised access areas, rather than control the number of visitors.¹⁶⁹

3.9 Social ecology approach to conservation used by SANParks

Since the democratic elections of 1994, SANParks has had major changes to its philosophy, policy, and organisation structure, in order to reflect the new political, economic and social realities of South Africa.¹⁷⁰ Previously, the approach used was for conservation areas to be established largely through enforcement and compulsory exclusion. The view was that people should be kept separate from conservation areas, and this served to create a rift between those living around the CP National Park, and those running the Park. This was

exacerbated by the fact that communities were often adversely affected by the establishment of new conservation areas, because of loss of land, loss of access to natural resources and, as a result, loss of economic opportunity. The new approach aims to recognise the need for parks to be linked with the local community, and for the community to be involved in the management of the parks.

SANParks has identified its core business as conservation, which "includes the management of biodiversity as well as the pursuit of social ecology - the long-neglected, but crucial people aspect in conservation".¹⁷¹ Ecological, cultural and socio-economic issues are recognised as critical to the management of national parks. This approach is focused mainly on disadvantaged communities that live near the parks. One of the main objectives of this approach is to give support to, and open up opportunities for, communities that have been dislocated and marginalised when the national parks were originally set up.

3.10 Process for Cape Peninsula to be declared a World Heritage site

The Cape Peninsula has been nominated as a World Heritage site, and the application for this is being prepared by the CP National Park. The possibility of including other areas within the Cape Floristic Region is also being considered. The nomination is, therefore, a two-step process:

- 1) The first phase, which was submitted in June 1999, addressed the areas to be considered, and provided detailed documentation for the Cape Peninsula as a key area.
- 2) The second phase is to provide detailed documentation for the remaining sites, which will be submitted by the Provincial Administration of the Western Cape.¹⁷²

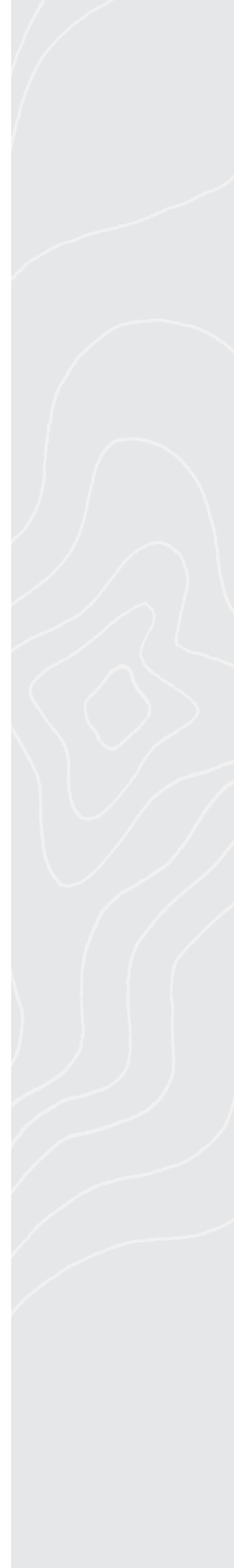
This application was favourably considered but was pending until the consolidation of public land on the Cape Peninsula had made significant progress.¹⁷³ The application will be resubmitted in 2003 as part of an application for the entire Cape Floral Kingdom, which will cover seven major sites.

3.11 Conclusion

The land management approach presented in this case study is based on protecting conservation values, which is mainly achieved by government management of the land. The main factor driving the need for protection on the Cape Peninsula is the high biodiversity and endemism of the flora and fauna. The area has a long history of human occupation, but only recently has the human population begun to increase rapidly, and is now the most significant threat to the natural environment. It has taken most of the last century to establish adequate protection of natural areas on the Cape Peninsula. The formation of the Cape Peninsula PNE identified the priority areas for protection, and as many of these areas as possible will be incorporated into the CP National Park. The need to secure future funding is a challenge remaining for the Park.

The Integrated Environmental Management System for the CP National Park provides a process for developing and reviewing plans for managing the Park. Within this system, the Conservation Development Framework provides guidance on what uses are appropriate for defined zones both within the Park, and in the areas outside the Park up to the urban edge boundary. Because most of the publicly owned land has now been incorporated into the Park, the focus now is to acquire or manage as much as possible of the private land within the Cape Peninsula PNE. This is especially important because of the need to control fires and invasive weeds adequately, and is achieved by the Park having a contract with the landowner that gives the Park control of the environmental management. This approach is preferred to regulation, because of concerns about the possible effects of future political decisions on land management. Squatters and unauthorised use of resources are a regular problem in the Park, because of high levels of poverty and unemployment in the Cape Metropolitan Area. The Park management are attempting to work with local communities to provide opportunities

for them to improve their circumstances. The long-term future of the Park is still uncertain, but the approaches described here are important steps towards ensuring the uniqueness of the Cape Peninsula will be preserved.



List of abbreviations and acronyms

CAPE	Cape Action Plan for the Environment
CP National Park or CPNP	Cape Peninsula National Park
Cape Peninsula PNE or CPPNE	Cape Peninsula Protected Natural Environment
CDF	Conservation Development Framework
CSIR	Council for Scientific and Industrial Research
EIA	Environmental Impact Assessment
FFEM	Fonds Français pour l'Environnement Mondial
GEF	Global Environment Facility
GIS	Geographic Information System
HIA	Heritage Impact Assessment
IEMS	Integrated Environmental Management System
IMEP	Integrated Metropolitan Environmental Policy
MOSS	Metropolitan Open Space System
MSDF	Metropolitan Spatial Development Framework
SANParks or SANP	South Africa National Parks
WWF-SA	World Wide Fund for Nature (South African branch)

Useful websites

Cape Peninsula National Park
www.cpnnp.co.za

South Africa National Parks
www.parks-sa.co.za

City of Cape Town (Cape Town Council)
www.capetown.gov.za

Provincial Government of the Western Cape
www.westerncape.gov.za

Cape Nature Conservation
www.capenature.org.za

South African Government Online
www.gov.za

South African Acts Online
www.acts.co.za

Scenic photos of the Cape Peninsula and Cape Town area
www.capetownskies.com

⁸⁷ From the South Africa National Parks website: <http://www.parks-sa.co.za/parks/CapePeninsula/default.htm>.

⁸⁸ From worldtravelguide.net website: <http://www.worldtouristattractions.travel-guides.com/attractions/tam/tam.asp>.

⁸⁹ The website <http://www.capetownskies.com> has many scenic photos of the Cape Peninsula and Cape Town area. These photos are by Gordon Richardson, who supplied the cover photo for the Cape Peninsula.

⁹⁰ Mountain fynbos (fine bush) is characterised by three main plant types or growth forms: the Cape reed or restiose grasses; the small-leafed, heath-like ericas; and the larger, leathery-leafed proteas. A large variety of bulbs, rhizomes and tubers form an important part of the fynbos group as well as many types of ground orchids. Source: <http://www.cpnnp.co.za/main.html>.

⁹¹ Younge, A. 2000. A biodiversity strategy and action plan for the Cape Floral Kingdom.

⁹² Trinder-Smith, T.H., *et al.*, 1996. Profiling a besieged flora: endemic and threatened plants of the Cape Peninsula, South Africa.

⁹³ Cowling, R.M., *et al.*, 1996. The Cape Peninsula, South Africa: physiological, biological and historical background to an extraordinary hot-spot of biodiversity.

⁹⁴ Cape Peninsula National Park website: <http://www.cpnnp.co.za/history.htm>.

⁹⁵ Cowling *et al.*, 1996, *op. cit.*

⁹⁶ Cowling *et al.*, 1996, *ibid.*

⁹⁷ Cape Metropolitan Tourism. 2000. Cape Town.

⁹⁸ Cowling *et al.*, 1996, *op. cit.*

⁹⁹ City of Cape Town website: www.capetown.gov.za/home/demographics.asp.

¹⁰⁰ For more information on the different levels of government see the South African Government website: <http://www.gov.za>.

¹⁰¹ Unicity Commission. 2000. *Discussion Document: Developing the future City of Cape Town*.

¹⁰² Pringle. 1982. Cited in van Wilgen, B.W., *et al.*, 1996. Management of the natural ecosystems of the Cape Peninsula: current status and future proposals, p. 673.

¹⁰³ McNeely, J.A. 2001. Globally significant biodiversity within the city limits: the case of South Africa's Cape.

¹⁰⁴ Shroyer, M., *et al.*, 1999. A wilderness in an urban setting: planning and management of the Cape Peninsula National Park, Cape Town, South Africa.

¹⁰⁵ Some South African Acts can be viewed online at the Acts Online website: <http://www.acts.co.za>.

¹⁰⁶ P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.

- 107 Cape Peninsula National Park website: <http://www.cnpn.co.za>.
- 108 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 109 McNeely, 2001, *op. cit.*
- 110 van Wilgen, *et. al.*, 1996, *op. cit.*
- 111 van Wilgen, *et. al.*, 1996, *op. cit.*
- 112 Cape Peninsula National Park. 2001a. *Conservation Development Framework for the Cape Peninsula National Park*.
- 113 This recommendation was approved by the Huntley Committee (chaired by Professor Brian Huntley of the National Botanical Institute), which was appointed to implement the recommendations of the study. Source: Cape Peninsula National Park. 2001a, *ibid.*
- 114 Cape Peninsula National Park website: <http://www.cnpn.co.za>.
- 115 Cape Peninsula National Park website: <http://www.cnpn.co.za>.
- 116 Cape Peninsula National Park. 2001c. Managing the CPPNE: A strategy for private land consolidation.
- 117 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 118 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 119 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 120 Cape Peninsula National Park. 1999. *Management Policy*.
- 121 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 122 Younge, 2000, *op. cit.*
- 123 Using exchange rate as of 8 November 2002 from <http://www.currency.co.nz>.
- 124 Cape Peninsula National Park, 2001a, *op. cit.*
- 125 The GEF is based in Washington DC. It provides funding to projects that protect the global environment and promote sustainable economic growth. To receive funds a country must be a party to the international Climate Change Convention or the Convention of Biological Diversity.
- 126 Cape Peninsula National Park website: <http://www.cnpn.co.za/funding.htm>.
- 127 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002. More details on the 'Go Green' card are available from the Cape Peninsula National Park website: <http://www.cnpn.co.za>.
- 128 Younge, 2000, *op. cit.*
- 129 Reports produced for the CAPE project are available from: <http://fred.csir.co.za/extra/cape/reports/reports.html>; http://www.panda.org.za/megaprojects_cape.htm.
- 130 Younge, 2000, *op. cit.*
- 131 Younge, 2000, *op. cit.*, p. 3.
- 132 Heydenrych, B.J., *et. al.*, 1999. Strategic conservation interventions in a region of high biodiversity and high vulnerability: a case study from the Agulhas Plain at the south tip of Africa. One of the plans being developed for the CAPE project is looking at the process of establishing protected areas on the Agulhas Plain, which is the southern-most tip of Africa, and where a National Park was established in 1999. This project focuses on improving the representation of lowland areas under conservation management, and involves partnerships between SANParks and private landowners.
- 133 Cape Peninsula National Park, 1999, *op. cit.*, p. 42.
- 134 Some South African Acts can be viewed online at the Acts Online website: <http://www.acts.co.za>.
- 135 Cape Peninsula National Park, 1999, *op. cit.*
- 136 Cape Peninsula National Park, 1999, *op. cit.*
- 137 Cape Peninsula National Park, 2001b. *Strategic Management Plan*.
- 138 Cape Peninsula National Park, 2001b, *op. cit.*, p. 22.
- 139 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 140 Cape Peninsula National Park, 2001a, *op. cit.*
- 141 H. Davies, Environmental Management Department, City of Cape Town, pers. comm. 2002.
- 142 For more information see: http://www.capenature.org.za/Information_And_Education/html/enviro_manage.html.
- 143 See National Heritage Resources Act 1999, s38, at www.acts.co.za.
- 144 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 145 Cape Peninsula National Park, 2001a, *op. cit.*
- 146 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 147 Cape Peninsula National Park, 2001a, *op. cit.*
- 148 Cape Peninsula National Park, 2001a, *op. cit.*
- 149 Cape Peninsula National Park, 2001c, *op. cit.*
- 150 Recently, controlled burning has been undertaken in the CP National Park. This was necessary because alien vegetation has greatly increased the fuel load. Controlled burning is part of fire management in the Park, which is important both for the regeneration of the fynbos vegetation, and for the protection of property. For more information see the Report on Trappieskop Prescribed Burn - May 2002, available from: <http://www.cnpn.co.za/archive.html>. See also http://www.fire.uni-freiburg.de/iffn/iffn_22/content.htm, for more on the importance of fire management.
- 151 For more details on the land consolidation process see the Cape Peninsula National Park newsletter, Park News, Issue 7, October 2002 at: <http://www.cnpn.co.za/parknews7pg1.html>.
- 152 From interview, Jan Roux, Land Negotiator, Park News, Issue 7, October 2002: <http://www.cnpn.co.za/parknews7pg4.html>.
- 153 City of Cape Town. 2001b. *The Environmental Policy of the City of Cape Town*.
- 154 Documents regarding the Metropolitan Open Space System and Urban Edge Study were provided by Kier Hennessy, from the City of Cape Town Spatial Planning Department.
- 155 City of Cape Town. 2001a. *Peninsula Urban Edge Report*.
- 156 City of Cape Town. 2000. *Defining and Mapping MOSS in the CMA: Phase One*.
- 157 City of Cape Town. 2001c. *CMOSS Phase II: Mapping: Pilot Project Summary Report*.
- 158 McNeely, 2001, *op. cit.*
- 159 Shroyer, *et. al.*, 1999, *op. cit.*
- 160 Shroyer, *et. al.*, 1999, *op. cit.*
- 161 This was because of the presence of Muslim graves and kramats (shrines) on the site. Source: http://www.parks-sa.co.za/news/media_releases/2002/oudekraal.htm.
- 162 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 163 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.
- 164 Shroyer *et al.*, 1999, *op. cit.*
- 165 For more details see: www.cnpn.co.za/community.htm.
- 166 McNeely, 2001, *op. cit.*
- 167 Cape Metropolitan Tourism, 2000, *op. cit.*
- 168 Cape Metropolitan Tourism, 2000, *op. cit.*
- 169 Cape Peninsula National Park, 2001a, *op. cit.*
- 170 South Africa National Parks website: <http://www.parks-sa.co.za/frames.asp?mainurl=conservation/intro.html>.
- 171 South Africa National Parks website: <http://www.parks-sa.co.za>.
- 172 Cape Peninsula National Park website: <http://www.cnpn.co.za>.
- 173 P. Britton, Manager Planning, Cape Peninsula National Park, pers. comm. 2002.

Section 4

Peak District, United Kingdom

4.1 Introduction

The Peak District and, more specifically, the Peak District National Park (the Park) provide a case study concerning the management of development pressure of a highly valued rural area that is close to large urban populations.

Management of development pressures in England, such as the demand for new housing, is through an integrated, centrally guided planning process.¹⁷⁴

This case study provides a brief description of the Peak District National Park and environs. It summarises the important natural, cultural and economic values, and the major pressures on these values. The study discusses the key organisations and programmes of the English planning process that are relevant to the control of peri-urban development.

Finally, the study highlights key themes raised and the differences of the English approach to the New Zealand situation for managing development in peri-urban areas.

4.2 Peak District National Park

Like the rest of the United Kingdom, the Peak District is an area of contrasts. From the gently sloping limestone dales and steeply incised wooded valleys of the 'white peak' to the imposing heather moorlands of the 'dark peak', it is also marked throughout by human influence. The dry stone walls which surround every grazed field, quarries, narrow lanes, moors, hedgerows and houses made from the indigenous stone. It is clear that once a site has been abandoned, nature moves in very quickly and some of the area's best wildlife sites are in disused quarries for instance.

In other areas, however, quarries cause major problems especially just outside the edge of the

*park where “superquarries” swallow up whole valleys especially around Buxton. Although hilly, few parts of the park feel truly “mountainous” and the landscape is mostly a gently undulating one. Even though the towns and cities that encircle the park are never more than fifteen miles away, there is always remote, wild areas where the weather can change in an instant and you can walk for hours without meeting another soul. Despite being the United Kingdom’s most visited national park, there are still many tranquil areas.*¹⁷⁵

The Peak District is located at the south end of the Pennines.¹⁷⁶ The National Park covers most of the area thought of as the Peak District, but some parts of seven adjoining local authorities in the Peak District were excluded from the designated area of the Park.¹⁷⁷

The Park was the first national park in the United Kingdom, designated in 1951 under the National Park and Access to the Countryside Act 1949. The Park covers an area of 143,830 hectares consisting mainly of uplands with more fertile lowlands surrounded by dense urban development.

The landscape is a product of nature and the people that live within it. Natural features are characterised by limestone plateaux and gritstone moors and edges, shale valleys and limestone gorges. Human influences come from over 100,000 years of human occupation. Stone walled fields, meadows and rough grazing, forestry and woodlands, farmsteads, country houses villages - large and small are physical changes to the environment resulting from long-term human interaction. The current settlement pattern and human activity consists of about 3,000 farms and 100 villages. There is a resident population of over 38,000 people within the Park and at least 12,600 people are employed within it. Of these jobs, 52 percent are in service industries (including tourism), 19 percent in manufacturing, 12 percent in quarrying and 12 percent in farming. In addition to the population living and working in the Park, 32 percent of England’s population (15.7

million people out of a total of 50 million) is located within one hour’s drive of the Park.¹⁷⁸ The National Park has more than 22 million visitors each year.¹⁷⁹

Unlike national parks in New Zealand and the United States, English national parks are largely in private ownership. A national park is an area designated under the National Parks and Access to Countryside Act 1949. Designation establishes a National Park Authority (the Authority) that has the sole planning authority for that area. The Authority has the responsibility for developing planning documents that protect important features, limit development, and determine where recreation can be provided by private and public investment.¹⁸⁰ The role of the Authority is discussed later in section 4.4.

It was the conflict of public access onto the relatively undeveloped private lands of the Peak area during the 1930s that instigated the government of the time to look at establishing a national park system for England. The Authority has more access agreements (rights of way) with landowners than the rest of England combined; however, almost half of the moorlands still remain closed to the public.¹⁸¹

4.2.1 Valued characteristics of the Park

The Park has a wide range of valued characteristics that include:

- opportunities for quiet enjoyment
- wildness and remoteness
- outstanding natural beauty
- landscape and wildlife
- geology and geomorphology
- clean earth, air and water
- cultural heritage
- archaeology, buildings
- customs and literary associations
- outdoor recreation and adventure
- vibrancy and sense of community
- environmentally friendly farming
- craft and cottage industries

- special value attached to the Park by the surrounding urban communities.¹⁸²

4.2.2 Pressures on the Park and environs

The State of the Park report prepared by the Authority in 2000 states that the Park faces a number of pressures. The management of which is made more challenging by the statutory requirement to balance the objectives of conservation and economic development (see discussion on the Authority in section 4.4).¹⁸³

Most of the pressures on the Park's valued features relate to its proximity to the large conurbations of Greater Manchester, Leeds and Sheffield (figure 4.1).

Major pressures in the Park are related to traffic (from both visitors and those travelling through the Park area), existing quarrying activities, pressure for increased number of telecommunication masts, and direct impacts associated with visitors (for example, impacts on tracks, and crowding in favoured sites).

Many of the same pressures are faced in the rural areas adjacent to the Park (cell phone masts, quarrying, visitor impacts). In addition, there are pressures on the values associated with the adjoining rural landscape from the intensification of rural recreational activities, such as the development of riding stables.

Housing development within the Park is strictly controlled avoiding any impacts on landscape values. The focus of the Authority with respect to housing is to ensure that there is sufficient affordable housing for local need (a social sustainability objective). This housing is located within existing villages or on brownfield sites.¹⁸⁴ (See discussion on Central Government Leadership, section 4.3.3.)

New housing within the Park is limited, with most building activity focusing on conversions of existing buildings (for example, converting barns to homes).¹⁸⁵ However, there may be some tension developing because there is uncertainty as to the

amount of suitable buildings available for future conversions. There is a similar high demand for existing housing stock in the rural areas of the local authorities that are adjacent to the Park. However, there also appears to be increased pressure in these areas for completely new housing developments. This pressure reflects the desirability of the area and its convenience to the nearby cities.¹⁸⁶

Figure 4.1: The location of the Peak District National Park



Source: Christine Prebble, Mosaic Consultants Ltd.

4.3 Statutory framework

4.3.1 Control of development

Environmental planning in the United Kingdom incorporates a wide range of plans and programmes (figure 4.2). The current system has its origins in the Town and Country Planning Act 1947 (TCPA).¹⁸⁷ This Act effectively nationalised development rights and instigated the process of preparing Development Plans. The TCPA also

provided for a compensation fund targeted at landowners affected adversely by being prevented from developing their land. However, this provision was found to be unworkable and was subsequently repealed during the early 1950s.¹⁸⁸

There have been a number of amendments and partial repeals of the legislation but the system remains largely the same. The Town and Country Planning Act 1990 (the Act) finally repealed the TCPA. The Act is the planning legislation, implemented by local authorities, intended to control housing development in England.

The Act, however, has limited control of agriculture and forestry so that changes in these types of land use within the rural environment fall largely outside planning regulation, and where these activities are controlled it is through specific measures that have variable effectiveness.¹⁸⁹

Development Plans under the Act comprise of:

- **Structure Plans:** produced by county councils, some unitary authorities and national park authorities (in many cases on a joint basis) that set out key strategic policies for development of land use and provide a framework for local plans. Structure Plans provide a strategic framework for development of land for a period of at least 15 years from the base date of the plan. For some types of policy, such as green belt protection, a longer period can be appropriate.¹⁹⁰
- **Local Plans:** produced by district councils, some unitary and national park authorities in which more detailed policies are set out to guide development in a particular local authority area. The plans cover the whole of a local authority area and may include detailed proposals for specific sites. Where possible the duration of a local plan should coincide with that of the relevant structure plan.
- **Minerals Plans:** produced by county councils, some unitary authorities and national park authorities (who are usually the development control authorities for these issues). These deal with the approvals to mine and process minerals, and dispose of mineral

waste.

- **Waste Local Plans:** are also produced by county councils, some unitary authorities and national park authorities. These plans deal with planning applications for development associated with the deposit, treatment, storage, processing and disposal of refuse or waste materials other than mineral waste.¹⁹¹

In addition to these types of plan there are also Unitary Development Plans produced by some metropolitan authorities, which combine Structure and Local Plans into one document.¹⁹²

4.3.2 Local government organisation

Local government in England comprises a range of planning authorities whose roles often overlap and sometimes lack integration.¹⁹³ This situation is a reflection of the long history and evolution of local government in the England, including a series of ad hoc reforms since the 1980s.

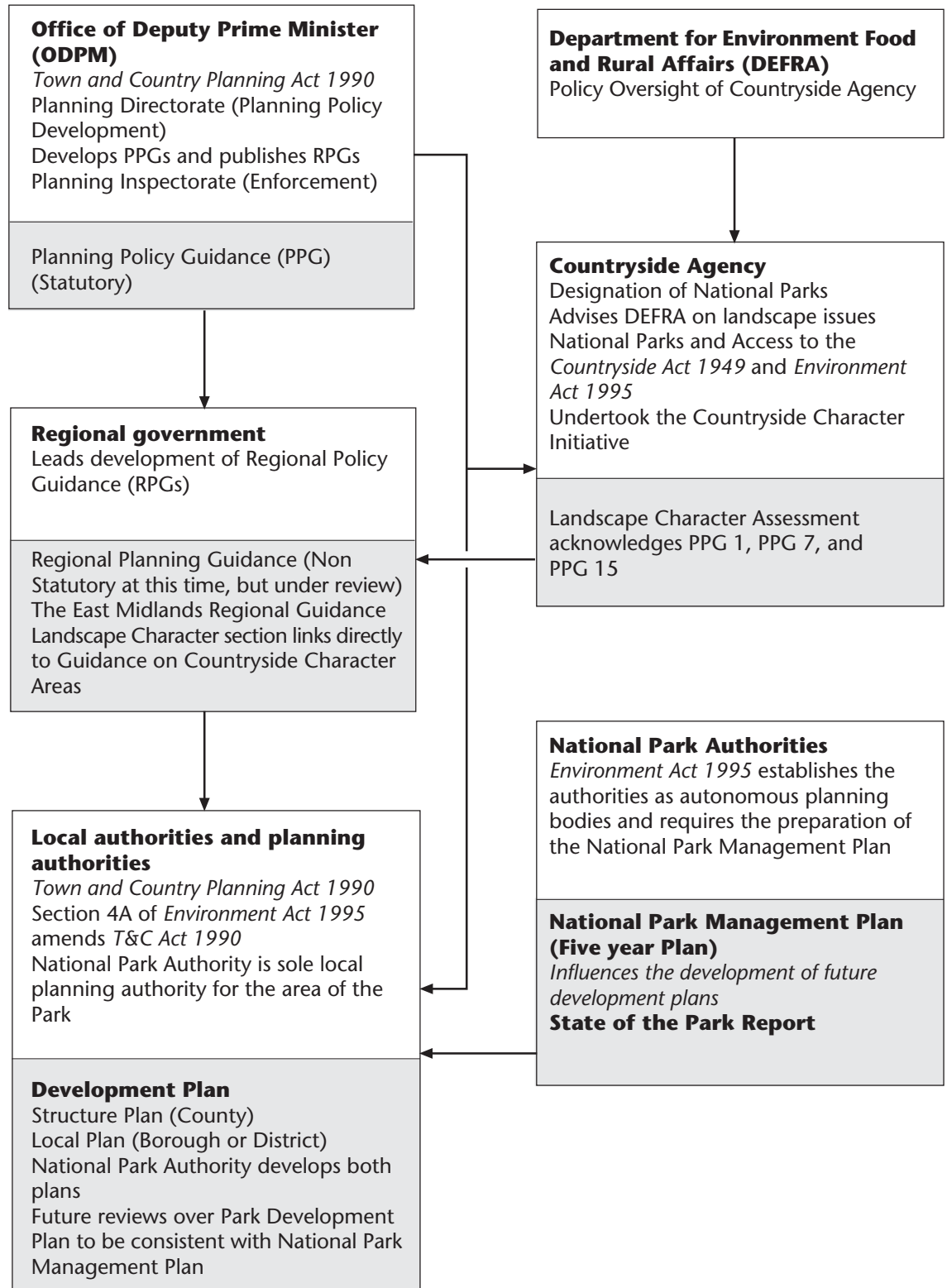
County councils develop Structure Plans and take a strategic and overarching view of local issues. There is a move by the current Labour Government to transfer some or all of the strategic planning functions of county councils to the new, more comprehensive, regional government institutions.

District and borough councils undertake the more specific Local Plan development, and its day-to-day implementation. National park authorities combine the functions of both county and district councils by preparing both Structure and Local Plans. Unitary councils prepare an amalgam of both types of plan called 'Unitary Development Plans'.

4.3.3 Central government leadership

Under the current Labour Government there has been some reorganisation of the central government agencies that are responsible for providing planning direction to regional and local authorities. This leadership is undertaken through the preparation of various types of planning policy guidance.

Figure 4.2: Outline of elements of the English planning system and national park administration
(the shaded boxes show outputs from agencies, the connecting arrows indicate influences)



The central government agency that provides the oversight of planning function is the Planning Directorate of the Office of the Deputy Prime Minister (ODPM). This function was previously with the Department of Environment Transport and Regions (DETR).

The Planning Directorate develops different types of national policy guidance targeted at the various plans prepared by local authorities. The local authorities must take account of these guidances when preparing their Structure, Local, Mineral and Waste Plans. The most relevant guidances for the control of peri-urban development are the Planning Policy Guidance notes (PPGs).

Local authorities must give material consideration to PPGs.¹⁹⁴ If an authority disregards a guidance in its plan they must provide clear reasons for doing so. Section 54A of the Town and Country Planning Act 1990 states that: “where, in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”. Therefore, the presumption is that Development Plans must be followed with respect to planning applications and examined first. On the other hand, government guidance documents provide ‘advice’ and do not carry as much weight as the Development Plan.¹⁹⁵

Plans are then put on deposit where the Regional Government Office can object to anything that is not in line with a PPG. If a public inquiry results the Inquiry Inspector will normally follow the PPG. In exceptional circumstances, sections 44 and 45 of the Town and Country Planning Act 1990 allow the Secretary of State to intervene any time before a development plan is adopted. Finally, section 54 of the Act requires that all non-metropolitan Structure and Local Plans must have the Secretary of State’s notice of approval.

Local authorities have discretion in the implementation of their development plans, but the Planning Inspectorate oversees this discretion.

The office of the Planning Inspectorate is part of the Planning Directorate of the ODPM and is the enforcement arm of the planning system. The Inspectorate processes planning and enforcement appeals and holds inquiries into local development plans. The Inspectorate also advises the Secretary of State (currently the Deputy Prime Minister) on any planning applications that have been called in.

Table 4.1 summarises the PPGs that are most relevant to this case study.

At this time, Regional Plans, unlike Development Plans, have no statutory authority under the Act. However, this situation is currently under review by the Labour Government.

The Office of the Deputy Prime Minister also provides additional information in the form of ‘Statements of National Planning Policy’ to planners and members of the public involved in the planning process. These statements have the objective of improving the planning process and its outcomes. Statements can take the form of ‘Circulars’ (information sheets) on specific topics (such as the undertaking of Environmental Impact Assessments), and ‘Good Practice Guidances’, which provide more information on the Planning Policy Guidances.¹⁹⁸

4.3.4 Green belts

The green belts of Greater Manchester, Leeds and Sheffield surround the Peak District National Park to the West, North and East. Green belts are considered one of the most effective planning tools for preventing urban sprawl into rural areas that are considered to have high value, other than designating them as national parks or some other type of highly controlled conservation area.¹⁹⁹

Green belts are those areas that have been so designated by the Government and comprise of both private and publicly owned land.²⁰⁰ Planning and Policy Guidance 2 provides a guidance on green belts and states that the most important feature of a belt is its rural openness. The guidance

discusses the control of development in green belts, which is in addition to the general protection against development of the countryside as given in PPG3. Any inappropriate development in a green belt will not be approved unless in exceptional circumstances.²⁰¹ Inappropriate development is defined as any development that is harmful to the green belt. The burden of proof is on the applicant to show that the proposed development will not be harmful to the objectives for having green belts.

Green belts have the following objectives:

- to provide opportunities for access to the open countryside for the urban population;
- to provide opportunities for outdoor sport and recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses.

Any exceptional circumstances are treated as a departure from the Development Plan and by statute must be referred to the Secretary of State. New building can occur in a green belt but only for agricultural, recreational purposes, or where it consists of limited alterations to existing buildings, limited infilling in existing villages and limited infilling in existing developed areas (for example, air fields, industrial estates).²⁰²

4.3.5 England Rural Development Programme

The Department of Environment Food and Rural Affairs (DEFRA) oversees the management of the England Rural Development Programme (ERDP). The stated aim of the programme is to underpin the English Government's "New Direction for Agriculture" by helping farmers and foresters to respond better to consumer requirements and become more competitive, diverse, flexible and environmentally responsible.²⁰³

The ERDP schemes focus on promoting environmental awareness and good practice with farmers. The schemes aim to compensate farmers for any income lost when establishing or improving environmentally beneficial aspects of farmland.

In addition to the environmental benefits of land-based schemes, in the case of the Organic Farming Scheme, the ERDP aims to promote the development of new markets for farmers.

The schemes are:

- Countryside Stewardship Scheme.
- Energy Crops Scheme.
- Environmental Sensitive Areas Scheme.
- Farm Woodland Premium Scheme.
- Hill Farm Allowance Scheme.
- Organic Farming Scheme.
- Woodland Grant Scheme.

The ERDP schemes most relevant to the control of adverse impacts on landscape are the Environmentally Sensitive Areas (ESA) Scheme, and the Countryside Stewardship Scheme.

The ESA Scheme was introduced in 1987 to offer incentives to encourage farmers to adopt agricultural practices that would safeguard and enhance parts of the country of particularly high landscape, wildlife or historic value.

The farmer signs up to a ten-year management agreement with DEFRA and receives an annual payment on each hectare of land entered into the scheme. Each ESA has one or more tiers of entry and each tier requires different agricultural practices to be followed. Typically, higher tiers have higher payment rates than the base tier, but impose more conditions on farmers and achieve greater environmental benefits. The ESA's cover 53.5 percent (77,000 hectares) of the Park.²⁰⁴

The Countryside Stewardship Scheme provides for payments to farmers that will assist with projects that improve the natural beauty and diversity of the countryside, enhance, restore and recreate targeted landscapes, their wildlife habitats and

Table 4.1: Planning Policy Guidance notes (PPGs)

	Title	Key objective
PPG1	General Policy and Principles	Emphasises that planning should be based on the principles of sustainable development.
PPG2	Green Belts	There are five purposes for including land (outside of National Park) in green belts: <ol style="list-style-type: none"> 1. to check the unrestricted sprawl of large built-up areas 2. to prevent neighbouring towns from merging into one another 3. to assist in safeguarding the countryside from encroachment 4. to preserve the setting and special character of historic towns, and 5. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.¹⁹⁶
PPG3	Housing	To promote more sustainable patterns of development and make better use of previously developed land. The focus for additional housing should be in existing towns and cities. Sets a target of 60 percent of new housing to be on previously developed sites by 2008.
PPG7	The Countryside - Environmental Quality and Economic and Social Development	Focuses on local planning in rural areas. Highlights the usefulness of using Countryside Agency's Character Assessment when planning for change without compromising distinctive character (see section 4.3.6 on the Agency). New housing should be focused on existing towns and villages and best use of existing housing. Special designations such as national parks.
PPG11	Regional Planning	Sets out the requirements for a more broad regional planning framework that will inform other strategies and programmes within the more formal Town and Country Planning system. The Regional Government Office undertakes the preparation of Regional Plans or Regional Policy Guidance. These are evolving documents under ongoing review. To assist regional planning the Office of the Deputy Prime Minister has issued PPG11.

Table 4.1: Planning Policy Guidance notes (PPGs) *continued*

PPG12	Development Plans	Provide guidance on processes for preparing Development Plans (Structure, Local, Mineral and Waste). PPG12 highlights the need for timely planning, integrating sustainable development, transport and land-use in policies, and the key procedural issues for producing Development Plans and the importance of consultation. ¹⁹⁷
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historical features, and improve opportunities for public access. The Countryside Stewardship Scheme operates outside of those areas covered by the ESA. In 1990, 6.8 percent (9,741.1 hectares) of the area of the Park was receiving Countryside Stewardship funding.²⁰⁵

4.3.6 Countryside Agency's Countryside Character Initiative

A key factor in determining development in the rural environment will be the effect of the Countryside Agency's Countryside Character Initiative on the development of Regional Policy Guidances, and Structure and Local Plans.

The Countryside Agency (the Agency) is an independent statutory body with the stated objectives of working to

- conserve and enhance the countryside
- promote social equity and economic opportunity for the people who live there
- help everyone, wherever they live, to enjoy this national asset (the countryside).²⁰⁶

The Countryside Character Initiative (the Initiative) is a programme of information and advice on the character of the English countryside. The Initiative came about because it was recognised by the Agency that there was a need for a new approach to landscape assessment that would look at the whole of England's countryside - rather than just specific designated areas - and provide a consistent national framework within which more detailed local landscape assessments would sit.

This approach led to mapping the country into 159 separate, distinctive Character Areas. The features that define the landscape of each area are recorded in individual descriptions that explain what makes one area different from another and show how that character has arisen and how it is changing.²⁰⁷

The Initiative also provides guidance documents for planning authorities on how to undertake more detailed local character assessments. The guidance shows planning authorities how they can identify and express in their planning documents the different rural elements, such as woodlands, hedgerows, moors, mountains and farmland, building styles, and historic artefacts, which give a place its unique character. The guidance is intended to help planners and policy makers set the right conditions for new development and changing systems of land management.²⁰⁸

The Regional Government Office of the East Midlands (the office has the regional oversight responsibility for the Peak District National Park) has directly linked its rural landscape policies to that of the landscape assessments of the Countryside Agency's Countryside Character Initiative (see table 4.2).²⁰⁹

4.3.7 Landscape assessment areas in the Peak District

There are three distinct Landscape Character Areas within the Park and six other landscape areas that adjoin the Park. The Character Area descriptions include information on the key characteristics, landscape features, physical influences, historical and cultural influences, buildings and settlement, and land cover. The assessment also provides a summary of the major changes or pressures on those character areas. Table 4.2 summarises the features of these assessments that are most relevant to this case study.

4.4 National Park Authority

Most national park authorities have sole responsibility for planning within the various national parks. This situation is a result of the Environment Act 1995, which reviewed the role of the authorities so that they became autonomous bodies, and amended the Town and Country Planning Act 1990.

The Environment Act 1995 reemphasised the purposes of national parks to:

- conserve and enhance natural beauty, wildlife and cultural heritage, and
- promote opportunities for the understanding and enjoyment of the special qualities (of the Parks) by the public.²¹¹

The Environment Act 1995 also places a duty on national park authorities that when pursuing the above two purposes they must:

- seek to foster the economic and social well-being of local communities by working closely with the agencies and local authorities responsible for these matters, but without incurring significant costs in so doing.

This implies that in some cases there can be conflict between the authorities conservation and economic and social well-being functions. Where there is such a conflict between the two purposes, section 62 of the Environment Act 1995 states that

the duty to conserve and enhance the natural beauty, wildlife and cultural heritage should prevail over the promotion of economic opportunities.

4.4.1 Peak District National Park

The Peak District National Park straddles four government regions - East Midlands, West Midlands, North West and Yorkshire and the Humber. However, to avoid confusion, the government regional offices have deferred to the East Midlands government office with respect to providing guidance to the Peak District National Park. There are also 12 constituent authorities (some unitary, some district and some counties) with parts of their area inside the National Park. In addition, there are 125 parish councils either wholly or in part within the boundaries of the Park.²¹² (See appendix 4A.)

The Park's key planning documents are the National Park Management Plan: Strategy 2000-2005 (the Management Plan), and the Development Plan. The Development Plan comprises the Structure Plan (adopted 1994) and the Local Plan (adopted March 2001).²¹³

The Peak District National Park Authority is composed of 38 members. Twenty are drawn from the local councils, and the Secretary of State for Environment Food and Rural Affairs appoints 18 members. (See appendix 4B.)

The Park Authority consults widely and works closely with many stakeholders during the development of its Management and Development Plans, and this includes defining the Park's important features. Appendix 4C provides a summary of many of those that were involved in the preparation of the Management Plan.

In addition, the Park Authority has special partnerships with local groups on specific issues, such as the Local Countryside Access Forum,²¹⁴ and the steering group for the Peak District's Biodiversity Action Plan.²¹⁵

Table 4.2: Countryside Agency's Countryside Character Initiative - Character Areas in the Peak District

Character Areas within the Park	Pressures identified within the Character Area
<p>White Peak*</p> <p>Small villages and towns, for example, Bakewell.</p> <p>Buxton</p>	<p>Tourist attractions placing pressure on roading and loss of tranquillity.</p> <p>Reworking old quarries.</p> <p>Increased pressure for a home in the country close to conurbations and the potential for large-scale new developments within existing settlements.</p>
<p>Dark Peak</p> <p>No villages or towns - remote farm buildings.</p>	<p>Increased intensity of farming resulting in a decline of traditional pasture types.</p> <p>Modernisation of farming buildings.</p> <p>Pressures on tracks and loss of tranquillity arising from increased recreation (for example, walkers, cyclists, horse riding and 4WD vehicles).</p>
<p>South West Peak</p>	<p>Changes in farming practice creating pressure on traditional pasture.</p> <p>Recreational pressures at popular visitor sites (traffic, erosion of footpaths and disturbance of grouse).</p> <p>On margins of the area there is pressure as a result of inadequate roading networks and demand for caravan parks.</p>
Character Areas adjacent to the Park	
<p>Yorkshire Southern Pennines (East of Park)*</p> <p>Includes the Sheffield Metropolitan Area.</p>	<p>Fragments of woodland between urban areas and the Peak District are under pressure from recreation and sport activities (for example, golf courses).</p>
<p>Southern Pennines (North of Park)*</p> <p>Lies between Greater Manchester and Leeds, contains many small towns.</p>	<p>Recreational pressure from urban visitors.</p> <p>Farms being taken over by non-farmers.</p> <p>Conversion of mills to other uses.</p> <p>Potential for cross peak road development that will increase access and have a considerable impact upon landscape character and the future development of the area.</p>

Table 4.2: Countryside Agency's Countryside Character Initiative - Character Areas in the Peak District
continued

Character Areas adjacent to the Park <i>continued</i>	
Manchester Pennine Fringe (North West of Park)* Between Manchester City and Park. Oldham. Glossop.	Gentrification of farms (riding schools and conversions) or other urban uses. Heavy recreational pressures.
Potteries and Churnet Valley (South West of Park)* Stoke on Trent. Leek.	Forest development. Urban fringe pressure on farmland change to non-farming uses.
Derbyshire Peak Fringe (South West of Park)* Derby. Matlock.	Farming in decline - gentrification and farm building conversions. Increased recreational demand.

* In these areas there is pressure for greenfield housing development.²¹⁰

4.4.2 Key policies

4.4.2.1 The National Park Management Plan

The National Park Management Plan: Strategy 2000-2005 is the overarching strategy document for the management of the National Park. Over the period of the Management Plan a number of action plans will be developed.²¹⁶

The Management Plan covers a range of environment, social and economic issues. There are a few references to landscape issues in the Management Plan. One reference sets the goal of conserving the National Park's distinctive landscapes and biodiversity when developing farming and forestry. The other specifies that planning policies for renewable energy sources

must be of a scale and type that do not harm the Park's special qualities (including the landscape features).

The Management Plan provides for a number of actions relevant to the subject of this case study. The Park Authority will:

Produce and implement management action plans, recognising distinctive assets and issues, for specific areas of opportunity or concern including (amongst others)

- *threatened open spaces, parks and gardens*
- *cultural heritage sites, monuments, artefacts*
- *historic landscapes*

- *landscape character*
- *settlement character*
- *areas under intense pressure from recreation*
- *tourism*
- *land use - so that regeneration is enabled without harm.*²¹⁷

4.4.2.2 Development Plan

The relationship between the Management Plan and Development Plan is set out in appendix 2 of the Management Plan:

A2.3 The Development Plan (the Structure and Local Plan) is very important, as it is the legal basis for National Park Authority planning decisions. It is prepared in a collaborative way through consultation with the public and partners of the Authority. The preparation of the National Park Management Plan does not alter adopted Development Plan policies or status, but it will influence its review in due course.

Therefore, the Park Authority's Structure and Local Plans remain in force until such time as they are reviewed, when the new Management Plan will need to be taken into account.

The Park Authority's Structure Plan has a number of specific policies that restrict peri-urban development within the Park, especially to protect those areas that have the most important natural and cultural values. The most specific policies in the Plan that relate to housing development are Conservation Policies 1, 2, 3, 4 and 5 (For more detail see appendix 4D.)²¹⁸

Within the Natural Zone of the Park,²¹⁹ development is not permitted "other than in exceptional circumstances".

The Park Authority's Local Plan sets out what exceptional circumstances mean in the context of development within the Park (see appendix 4D).

Development outside of the Natural Zone is permitted but only if it is consistent with the

existing uses and character of the area.

4.5 Adjacent authorities

The Park Authority's Structure Plan recognises that the areas adjacent to the Park have protected status (for example, Green Belt or Special Landscape Area). The Park's Local Plan comments that development in these adjacent areas can harm the values within the Park and notes that the Regional Planning Guidance has the function of addressing these cross-boundary issues (see appendix 4D).²²⁰

A number of the adjacent councils also recognise in their Development Plans the importance of managing the landscape relationships across the boundary between their areas of responsibility and that of the Park.

The High Peak Borough Council (HPBC) includes the northern portion of the Park and the areas of Glossop (just outside the Park), New Mills Whaley and Buxton (almost completely surrounded by the Park). High Peak Borough Council is located between the Park and Greater Manchester.

The HPBC's Local Plan recognises that parts of the High Peak are under development pressure and have special protection status under Green Belt policies (see appendix 4D).²²¹

Development in the HPBC area is permitted but is generally limited to existing built-up sites and only when it is "integrated sympathetically into the landscape". However, the Council is concerned about the cumulative impacts from many small developments (see appendix 4D).

Adrian Fisher of the High Peak Borough Council provided the following insight:

As you have probably picked up, the Peak District National Park is one of the most visited National Parks in the world - being located just a few miles beyond the edge of Greater Manchester (pop 2.5million approx) and Sheffield (pop 500,000). The main urban centres of West Yorkshire, Merseyside, Stoke on

Trent and Derby/Nottingham are all within an hours drive. In addition the Peak District is the easiest 'wild' upland area to reach from much of southeast England.

As a result there is a lot of pressure on a fragile historic landscape. The housing pressure we get in High Peak arises mostly from people who live in Greater Manchester and see the Peak District as an attractive environment to live - whilst still retaining a job in central Manchester. This causes problems for us - but not the same problems as you sound as if you are experiencing.

The reason for this is probably the differences in the planning system between the United Kingdom and New Zealand (unfortunately I am not very familiar with your system). As you may know, planning in the United Kingdom is based on a system of development plans - strategic documents combined with a detailed Local Plan. Every Local Authority must produce a plan for all of its area - and include a detailed map (usually 1:10,000 or 1:25,000 scale) designating different policy areas.

The Greenbelt is one of those policies - first prepared in this area in 1989 as a separate plan and later incorporated into our local plans. Within the greenbelt most forms of building is prohibited. Even in areas outside the greenbelt, countryside policies prohibit virtually all housing. This system is backed up by the requirement to obtain planning permission for nearly all types of development - in some cases even building a garden shed.

Consequently whilst the pressure is there, we don't get houses springing up - and suburbs only creep if WE want them to. The problem we do experience is that house prices tend to be very high and local people get priced out of the market. It is on this issue that we collaborate with the national park and other agencies.²²²

The Sheffield Metropolitan District Council 1998

Local Plan also recognises the relationship with the Park and states that:

Special protection will continue to be given to areas which are particularly attractive, such as on the edge of the Peak National Park. So far as it can within its planning powers the City Council will endeavour to support the protection and management of the special qualities of the National Park.²²³

This position is being examined under the current review of the Local Plan with the likelihood of strengthening the above policy.²²⁴

The Staffordshire Moorlands District Council's (SMDC) Local Plan is also currently under review. A summary of the draft Local Plan indicates that there are questions being raised by the Council on the degree of infill housing that will be allowed to occur in open areas. The SMDC's draft Local Plan does not, however, discuss the relationship of its management of landscape to that of the Park.²²⁵

4.6 The reality

4.6.1 Housing

The Park and its environs are highly desirable places to live for many of the people in the adjacent urban conurbations. Within the area of the Park these pressures are tightly controlled and there does not appear to be a problem with increased housing. However, this may change when the supply of buildings suitable for conversion to residential housing becomes exhausted.

Outside of the Park controls on new housing development also exist. At a national level there is a clear directive from central government that the priority for new housing developments should be on previously developed or 'brownfield' sites and not in undeveloped rural 'greenfield' areas. This focus on protecting existing rural areas is reinforced by the designation of large green belts around the major urban areas near the Park.

Despite this strong policy direction, new housing

developments do get proposed for greenfield areas adjacent to the Park. This appears to happen for a number of reasons:

- Not all of the new housing needed for local people can be accommodated on previously developed land.
- The English planning system allows for planning permissions, once started, to remain valid, and development started many years ago can carry on even if it is against contemporary policy.²²⁶
- In some cases planning authorities do not fully take account of policies in relevant PPGs issued by government (in this case specifically PPG3) in their Development Plans.

In the last case, organisations such as the Council for the Protection of Rural England, Sheffield, Peak District and South Yorkshire Branch (CPRE SPDSY)²²⁷ do undertake campaigns and make submissions on plans to ensure that greenfield developments do not proceed.²²⁸

The PPG3 has been found to be especially useful to CPRE SPDSY when undertaking campaigns against new housing developments on rural land. This policy guidance makes it clear that the focus should be on brownfield sites. However, CPRE SPDSY still has some concerns about aspects of the guidance. The PPG3 gives a target of 60 percent new housing development on brownfield sites by 2008. This of course means that 40 percent can still occur on greenfield sites. There is also some concern by CPRE SPDSY about the scope of the term brownfield. In some cases, previously developed sites have reverted/regenerated to such an extent that they have acquired biodiversity, amenity, or other values. However, these sites are still treated as being available for development despite these values.

Responses to the High Peak Borough Council's draft Local Plan highlight that there are tensions between those that support greenfield housing developments, especially in the Buxton area, and those who consider that such developments are not necessary or appropriate. Based on the

summary of responses, this can be attributed to different views regarding the:

- application of PPG3 and the apparent inconsistency between the objective of the guidance with other government policies that have the objective of promoting economic growth
- availability of suitable brownfield sites
- appropriateness of the methods used to forecast future housing demand.²²⁹

The restriction on the supply of new housing in and around the Park has raised the price of homes beyond the reach of many. In PPG3 the Government has sent a clear signal that Development Plans should take account of the local need for affordable housing and that the development plans of the planning authorities both within and adjacent to the Park acknowledge this responsibility.

4.6.2 Key pressures on the Peak District landscape

The pressures on the green belt areas surrounding the Park arise not so much from urban sprawl but from changes in the type and intensity of land use. Recreational demands have changed land use from traditional farming to riding stables, golf courses, and space for bike and walking tracks, thereby changing the visual appearance of the landscape.

Quarrying is seen as the most significant environmental impact within the Park. Recent changes to the law require improved environmental performance by quarry operators. However, any new conditions cannot be applied until the operator has submitted an Environmental Impact Assessment (EIA), but there is no legal requirement for the operators to undertake an EIA. The quarry operator can, therefore, continue to operate under the old environmental conditions indefinitely and CPRE SPDSY sees this as a loophole in the planning system.²³⁰

4.7 Cultural context

There are cultural differences between New Zealand and England concerning both the role of planning and the values associated with the modified countryside.

England has had a strong centrally lead planning system for the management of development since 1947. At that time private development rights were effectively nationalised.²³¹ The ability of a government to achieve such a major change may have been a reflection of the post-war environment and the pressures arising from an increasing population on a relatively small island.

While the system has been subsequently modified, it remains largely the same. Since 1994, changes have been made to the planning system that emphasise the role of sustainable development and balancing economic, social and environmental outcomes.²³²

Culturally, there appears to be an acceptance across the political spectrum that government can and should place strong restrictions on certain types of development.

An example of this cultural acceptance is the absence of any significant pressure group that is advocating for compensation for lost economic opportunities caused by restrictions imposed by the planning system. Such groups exist in the United States, Canada, Australia and New Zealand.²³³ However, this debate does not appear to be a significant factor in the English political landscape. Development concerns seem to focus on making the planning process more timely, flexible and consistent.²³⁴

The other significant difference between New Zealand and the United Kingdom is that in the modified rural environment of the United Kingdom more concern is given to values other than those of economic production. Traditional agriculture is even considered to contribute to the Park's beauty.²³⁵ Such values are reflected in the creation of organisations such as a Countryside

Agency, which has conservation, social, economic and access objectives. The Department of Environment Food and Rural Affairs also integrates conservation, social and economic objectives through programmes such as the England Rural Development Programme, and Rural Economy and Communities.²³⁶

The role and values attached to the Peak District National Park are also different from those of a national park in New Zealand. The Peak District National Park has a long history of human occupation and is a lived-in environment. One of the key objectives of having the Park is to meet the desire for public access while protecting the full range of values that are present. With a strong planning regime largely accepted by the community, ownership of land by the Crown is not seen as necessary to control land-use outcomes.

A key aspect of the planning system is the active role of central government. The Government gives clear leadership through the various policy guidance, circulars and documents. Implementation at a regional level occurs through the regional government offices and there is a policy review underway that may soon have these offices working with county councils to develop regional plans that will replace Structure Plans.

List of abbreviations and acronyms

CPRE SPDYSY	Council for the Protection of Rural England, Sheffield, Peak District and South Yorkshire Branch
DEFRA	Department for Environment Food and Rural Affairs (central government department responsible for environmental and rural policy, including administering the legislation for national parks and the countryside)
DETR	Department of Transport and Regions (functions now undertaken by DEFRA, Department of Transport and ODPM)
EIA	Environmental Impact Assessment
ERDP	England Rural Development Programme (suite of programmes designed to promote the rural environment, sustainable agriculture and rural communities)
ESA	Environmentally Sensitive Areas (one of the ERDP programmes with the specific target of promoting farming practices that will protect sensitive environmental areas)
HPBC	High Peak Borough Council
NPMP	National Park Management Plan
ODPM	Office of the Deputy Prime Minister (includes the Planning Directorate)
PPG	Planning Policy Guidance notes (central government guidance to local authorities when preparing planning documents)
RPG	Regional Policy Guidance (planning guidance focused at regional issues prepared by regional assemblies and published by the ODPM)
SMDC	Staffordshire Moorlands District Council
TCPA	Town and Country Planning Act 1947

Useful websites

Peak District National Park Authority
www.peakdistrict-npa.gov.uk

Office of the Deputy Prime Minister. Planning Policies
www.planning.odpm.gov.uk

The Countryside Agency
www.countryside.gov.uk/index.htm

Department for Environment Food Rural Affairs
www.defra.gov.uk

List of appendices

The appendices can be downloaded from the PCE website www.pce.govt.nz.

4A Local government organisations involved with the Park

4B Members of the Peak District National Park Authority

4C Participants in the development of the Park's Management Plan

4D Extracts from Structure and Local Plans

¹⁷⁴ Central government sets the parameters and attempts to integrate the planning undertaken by regional, county, unitary and local authorities.

¹⁷⁵ Description provided by John Spottiswood, Planning Officer, Council for the Protection of Rural England, Sheffield, Peak District and South Yorkshire Branch (CPRE SPDYSY), pers. comm.

¹⁷⁶ The Pennine mountain range is sometimes called the 'backbone of England'. It extends 260 kilometres (c 160 miles) from the Cheviot Hills on the Scottish border to the Peak District in Derbyshire.

¹⁷⁷ John Spottiswood, Planning Officer, CPRE SPDYSY, states that one of the major reasons for excluding these other, equally attractive, places from the Park's designated area, was that it was foreseen that they would be needed for future road and rail development, pers. comm.

¹⁷⁸ Peak District National Park Authority. 2000a. *Peak District National Park: State of the Park Report*, p. 9.

¹⁷⁹ Peak District National Park Authority. 2001. *Peak District National Park Local Plan, Adopted Version March 2001*, p. 12.

¹⁸⁰ Peak District National Park Authority, 2001, op. cit.

¹⁸¹ Peak District National Park Authority, 2000b. *National Management Plan: Strategy 2000-2005*, p. 15.

¹⁸² Peak District National Park Authority, 2000b, op. cit., p. 7.

¹⁸³ Peak District National Park Authority, 2000a, op. cit.

¹⁸⁴ 'Brownfield' site is a term used to refer to land previously developed that may or may not be contaminated.

¹⁸⁵ Total building commitments in the Park 1991 to 2000:
 Local Need 199

- Conversions 363
Agriculture 82
Enhancement 34
New Build 139
- Peak District National Park Authority, 2000a, *op. cit.*, p. 64.
- ¹⁸⁶ John Spottiswood, Planning Officer, CPRE SPDSY, pers. comm., 12 August 2002.
- John states that CPRE SPDSY is currently undertaking campaigns to prevent greenfield housing development in Buxton and Buxworth, Derbyshire. Although there is a preference against 'greenfield' developments in the Government's guidance, these areas outside of the Park can still be developed where there is a shortage of 'brownfield' sites.
- ¹⁸⁷ The English planning system is an example of Plan Led Control, which is a regulatory system that controls future development by setting out, in planning policies and documents, what will be considered appropriate development activity.
- This approach can be compared with the New Zealand Resource Management Act 1991, which does not attempt to define appropriate activities but focuses on avoiding, remedying or mitigating the effects of those activities.
- ¹⁸⁸ John Spottiswood, CPRE SPDSY, pers. comm., 12 August 2002. For further discussion of the Town and Country Planning Act 1947 and the issue of compensation see Blundell, J. 1993. *Labour's Flawed Land Act 1947-1976*, and Cullingworth, J. and Nadin, V. 1997. *Town and Country Planning in the UK*.
- ¹⁸⁹ Farmer, et. al., 1999. *Environmental Planning in the United Kingdom: A Background Paper for the Royal Commission on Environmental Pollution*.
- ¹⁹⁰ The Government has proposed that Structure Plans will be replaced by the Regional Policy Guidance (promoting it from a guidance to plan status) (see table 4.1).
- ¹⁹¹ Office of the Deputy Prime Minister. 2000. *Planning Policy Guidance Note 12: Development Plans*.
- ¹⁹² Also, there are the Regional Planning Guidances that are prepared by Regional Assemblies.
- ¹⁹³ Farmer, et. al., 1999, *op. cit.*, p. 3.
- ¹⁹⁴ Section 70 of the Town Country and Planning Act 1990 states that any material consideration can be taken into account when considering a planning permission. Case law interprets 'consideration' widely as long as it is relevant.
- ¹⁹⁵ Adrian Fisher, Forward Planning Manager, Regeneration Service, High Peak Borough Council, pers. comm., 23 October 2002.
- ¹⁹⁶ Office of the Deputy Prime Minister. 1995. *Planning Policy Guidance Note 2: Green Belts*.
- ¹⁹⁷ See www.planning.odpm.gov.uk [Accessed June 2002].
- ¹⁹⁸ See www.planning.odpm.gov.uk/informat.htm [Accessed 31 January 2003].
- ¹⁹⁹ Farmer, et. al., 1999, *op. cit.*
- ²⁰⁰ There are 14 areas designated as green belts in England, and six in Scotland.
- ²⁰¹ Exceptional circumstances in UK law are determined on a case-by-case basis. However, Structure and Local Plans can attempt to reduce uncertainty by specifying what are exceptional circumstances. (See the discussion on the Peak District National Park Local Plan in appendix 4D.)
- ²⁰² Office of the Deputy Prime Minister, 1995, *op. cit.*
- ²⁰³ See www.defra.gov.uk/erdp/about/aboutindex.htm [Accessed June 2002].
- ²⁰⁴ Peak District National Park Authority, 2000a, *op. cit.*, p. 33.
- ²⁰⁵ Peak District National Park Authority, 2000a, *op. cit.*, p. 33.
- ²⁰⁶ See www.countryside.gov.uk [Accessed June 2002].
- ²⁰⁷ See www.countryside.gov.uk/cc/ [Accessed June 2002].
- ²⁰⁸ Swanwick, C. 2002. *Landscape Character Assessment Guidance for England and Scotland: Prepared on behalf of the Countryside Agency and Scottish Natural Heritage*.
- ²⁰⁹ Government Office of East Midlands. 2002. *Regional Planning Guidance for the East Midlands (RPG8)*.
- ²¹⁰ John Spottiswood, Planning Officer, CPRE SPDSY, pers. comm.
- ²¹¹ Peak District National Park Authority, 2000b, *op. cit.*, appendix 1, p. A-2.
- ²¹² Peak District National Park Authority, 2000a, *op. cit.*, p. 74.
- ²¹³ See www.peakdistrict-npa.gov.uk/ [Accessed June 2002].
- ²¹⁴ The Peak District Local Access Forum is an independent group that meets regularly to review and advise the National Park Authority on improvements to access to the countryside of the Peak District.
- ²¹⁵ See <http://www.peakdistrict.org/pubs/bap/bap.htm> [Accessed June 2002].
- ²¹⁶ Peak District National Park Authority, 2000b, *op. cit.*
- ²¹⁷ Peak District National Park Authority, 2000b, *op. cit.*, p. 18.
- ²¹⁸ Peak Park Joint Planning Board. 1994. *Peak Park Structure Plan, Adopted Replacement, Final Edition*.
- ²¹⁹ From the Park's Local Plan:
- The Natural Zone is defined in the National Park Plan as "those areas where the vegetation is almost entirely self-sown, with only minor modifications by human activities. There are few buildings or obvious signs of human influence such as field boundaries. The Natural Zone areas are not truly 'natural' since human influence has considerably shaped the environment. However, they are the nearest thing to wilderness in the Park*
- Peak District National Park Authority, 2001, *op. cit.*
- ²²⁰ Peak District National Park Authority, 2001, *op. cit.*
- ²²¹ High Peak Borough Council, 2002. *High Peak Local Plan, Deposit Draft 2002*, pp. 21, 22.
- ²²² Adrian Fisher, Forward Planning Manager, Regeneration Service, High Peak Borough Council, pers. comm., 30 July 2002.
- ²²³ Sheffield City Council. 1998. *Sheffield Unitary Development Plan*.
- ²²⁴ See www.sheffield.gov.uk/feedback/UDP/Intro.htm [Accessed June 2002].
- ²²⁵ Staffordshire Moorlands District Council. 2001. *Staffordshire Moorlands Local Plan - Consultation Draft: Summary, March 2001*.
- ²²⁶ Although there are provisions to revoke permission, these may be considered too expensive to be used in practice.
- ²²⁷ The CPRE SPDSY is a non-government organisation established in 1926 that campaigns to promote the long-term future of the countryside. Friends of the Peak District has been established by CPRE SPDSY to deal solely with the threats faced by the Park.
- ²²⁸ See www.cprepeakandysorks.org.uk/campaigns/housing.htm [Accessed August 2002].
- ²²⁹ See www.highpeak.gov.uk/latest/index.htm for a summary of the responses to the Local Plan [Accessed July 2002].
- ²³⁰ John Spottiswood, CPRE SPDSY, pers. comm., 12 August 2002.
- ²³¹ The first Labour government elected in 1945 began a programme of nationalisation including the Reserve Bank, the coalmines and the railways.
- ²³² Office of the Deputy Prime Minister. 1997. *Planning Policy Guidance Note 1: General Policy and Principles*.
- ²³³ John Spottiswood, CPRE SPDSY, pers. comm., 12 August 2002.
- ²³⁴ The Confederation of Business Industry, a UK business advocacy organisation, has expressed the view that applicants should be compensated for the costs of delays caused by the planning process. Confederation of Business Industry. 2001. *Planning for Productivity: A ten-point plan*.
- ²³⁵ See appendix 4D, Conservation Policy 5, an extract from the Park Authority's Structure Plan.
- ²³⁶ The Rural Economy and Communities initiative comprises a set of government policies and funding programmes designed to maintain and improve rural services (for example, education, health services, affordable rural housing, access to transport services). It also includes programmes to promote aspects of the rural economy by rejuvenating market towns and traditional rural industries). See www.defra.gov.uk/erdp/rwphome.htm [Accessed July 2002].

Section 5

Concluding Remarks

5.1 Introduction

The case studies present a challenge: that is to consider how we in Aotearoa/New Zealand currently manage the development and peopling of our land. Extracting lessons from the case studies is somewhat risky, because the authors have not visited the areas first hand. However, the extensive research (published and unpublished) for both *Managing Change in Paradise* and this report, presents a clear picture of key issues; and corresponding 'lessons' from the case studies emerge. These key lessons are listed below. Core aspects of the various governance and planning approaches that relate to these lessons, and the questions raised in *Managing Change in Paradise*, are also explored.

Table 5.1 at the end of the chapter provides a summary of the characteristics of the different planning approaches.

We strongly recommend further research, including study tours to the regions, should any methods and approaches warrant further consideration in the New Zealand context - which we believe they do. Because the case studies examine areas that are overseas, decision makers and their advisors need to consider if the approaches, or aspects or methods to management from them, suit the New Zealand cultural and geographical context.

5.1.1 Key lessons

The three case studies offer valuable lessons for sustaining critical values in icon landscapes. These include:

- Management of land-use change is challenging in areas of high landscape value. People are drawn to these places in increasing numbers. The more people present, the more the values of the area risk being compromised.
- The values in icon landscapes that are not well protected by the market and that require government intervention in order to be

maintained fall into the following categories:

- Ecological - including, but not limited to, habitat for plant and animal species, maintenance of ecological integrity and functioning, maintenance of the provision of ecological services to people, including supply of potable water.
- Aesthetic - maintaining what makes the place look, feel, smell, and sound beautiful, outstanding, awe inspiring and so forth.
- Open space.
- Opportunities for low-impact recreational activities.
- Access to the landscape.
- Cultural heritage.
- Environmental and cultural sustainability are the primary management goals for icon landscapes.
- The need for a long-term strategic vision for the area, that is community owned.
- A stable foundation for planning and management requires a common recognition amongst the community of what is to be protected and why. A strategic vision can then be established, setting aims that planning will try to achieve. This may be referred to as a 'bottom-up' approach. As such, political leaders need to 'buy-in' to the community vision. With political endorsement the planning approach then combines a 'top-down' approach to the development of the planning framework and its implementation.
- Where land is in private ownership, strategic management, via strong planning controls, is required to prevent the deterioration of ecological and human experience values that are compromised by the cumulative effects of development.
- The common approach to planning is a prescriptive and directive graduated protection system, based on zoning of key areas. As such, the landscape is a lived in, working environment with core areas or features protected.
- Planning that is prescriptive in its zoning and protection can assist in achieving continuity in the planning process, and the achievement of environmental goals over the long term.
- Planning based on zoning and protection of key areas will result in pressure at the zone boundaries. Limits will come under considerable pressure - the maximum limit to development becomes the minimum that a developer or population will pursue, the minimum requirements for development to take place become the maximum aimed for.
- Review of the planning approach can take place either incrementally or periodically - the planning approach needs to include mechanisms to protect the community's vision from political whims but allow for evolving societal values.
- Planning requires high-quality information and substantial resourcing.
- National assistance is important - particularly in the form of guidance, information and funding to complement and assist implementation of the planning approach. This is especially so where implementation is the responsibility of smaller territorial authorities.
- A prescriptive planning approach is only part of the management framework. It needs to be supported by: initiatives such as non-profit corporations assisting in achieving the strategic vision; flexible contractual arrangements for public-private partnerships; incentives for private landowners where public values of significance warrant protection or enhancement; and public education.
- The management framework needs to integrate across local authority boundaries, across agency responsibilities and areas of expertise.

5.2 Strategic management of change

The difficulty of the task before governments in establishing systems for governance and management of peri-urban areas is clearly illustrated in the case studies. These systems need to provide for and balance the requirements of increasing population pressures and demands (including places for settlement, commerce, recreation and tourism), with requirements for a good quality of life, and ecological sustainability.

Managing Change in Paradise concluded that the key challenge in the management of peri-urban areas is “to allow for development and change without relinquishing the physical attributes and values of landscapes that are cherished by the community ...”.¹ This section explores how the various case studies aim to meet such a challenge.

5.2.1 Significance and protection

5.2.1.1 *Recognising and agreeing upon the significant values of a landscape*

The Peak District National Park in the United Kingdom, a modified rural environment, is recognised as a national asset of ecological, social, economic and cultural significance. There is cross-community support for the measures taken to protect the area. The character of the Peak District National Park reflects the long, and ongoing, human habitation of the area. One of the key objectives of the Park is to meet the desire for public access to the area while protecting the full range of values that are present.

The significance of the Oak Ridges Moraine in Canada has also been recognised by the community and government. The values associated with the Moraine, such as clean water supply, habitat for rare and endangered species, and open space have been protected in the new planning approach.

The Cape Peninsula in South Africa is recognised internationally for the high biodiversity and endemism of its flora and fauna. Once the land consolidation process is completed, most of the non-urbanised areas of the Peninsula will be protected within the Cape Peninsula National Park.

5.2.1.2 *Protecting significant values*

All three case studies take an approach of graduated levels of protection depending on the significance of the ecological values, and the long-term environmental outcomes sought (for example, see section 2.6.2, Oak Ridges Moraine Conservation Plan, Table 2.2, section 3.5.2.1, Use

Zones, section 4.3.4, Green Belts).

The Peak District and Oak Ridges Moraine case studies both illustrate the use of national instruments to protect sensitive and ecologically valuable systems.² Regional and local government agencies then have responsibility for implementing the national guidance or planning documents.

5.2.2 Prescribing the what, where and how

The Resource Management Act 1991, as the primary statute for land-use planning in New Zealand, is “largely a reactive tool. The focus is primarily on management of environmental effects rather than on proactive strategic environmental management”.³

The strategic environmental management undertaken in the case studies uses an approach that is focused on prescribing the type of land-use activities permitted. The Resource Management Act 1991, in comparison, focuses more on the control of environmental effects arising from land-use activities. The English and Canadian case studies prescribe the application of zoning and the identification and protection of specific heritage, landscape and ecological features of value.

In Ontario, the uncertainty in decision making (which was mainly effects-based) and inconsistency in regional approaches led to a much more prescriptive approach to managing development. The new planning approach for the Oak Ridges Moraine is prescriptive in establishing the presumption that no person can use land or undertake development unless permitted to do so by the Oak Ridges Moraine Conservation Plan. Such a presumption is the opposite of that contained in the Resource Management Act, 1991 in New Zealand.

Likewise, in the Peak District, planning at the local level is very directive in comparison with New Zealand. In the United Kingdom, there appears to be an acceptance across the political spectrum that government can and should place strong

restrictions on certain types of development. The implementation of protection involves central government providing a legislative framework, guidance and financial support. The regional government undertakes the coordination role through the provision of the Regional Policy Guidance. Local authorities (including the Peak District National Park) are responsible for implementation, and the community provides input through participation at central, regional and local levels.

In the Peak District, despite the Planning Policy Guidance notes that clearly place an emphasis (60 percent) on using brownfield sites for development, there is still provision for 40 percent of growth to occur in greenfield sites. However, the Planning Policy Guidance notes (especially PPG 1 and 3) do set out principles for sustainable development, that provide non-governmental organisations with the ammunition to (often successfully) contest proposed greenfield developments. This point illustrates that even with prescriptive measures that have a conservation bias, the pressure to develop still exists. However, the prescriptive approach removes ambiguity and places the 'burden of proof' on the developer.

On the Cape Peninsula the City of Cape Town (metropolitan council) has defined an urban edge line, which indicates the maximum extent of urban development for the next 20 years, and has proposed management strategies for the land on either side of the line. Within the Cape Peninsula National Park, there is strong demand for sites along the edge of the Park, which impact on its aesthetic qualities. Both formal and informal settlements create edge-effect problems such as invasive plants and an increased fire risk.

In all three case studies, land management appears to be conservation oriented, within an environmental and cultural sustainability context. There is an emphasis on preserving remaining habitats and ecosystem linkages, open space, heritage features and valued landscapes through

the exclusion of all but low-impact human activities in key areas. Defined areas are managed to maintain or ecologically enhance the status quo, whilst provision for change (for example, tourism/residential development) is accommodated in other areas subject to prescriptive controls.

5.2.3 Cumulative effects

The management of cumulative effects is a critical issue that the Parliamentary Commissioner for the Environment has discussed at length in commentary on the management of peri-urban areas in New Zealand.

Where land is in private ownership, strategic management of cumulative effects via planning controls is required, otherwise development pressures result in the deterioration of ecological and human experience values. In the case studies profiled here the strategic management of cumulative effects has essentially been achieved through 'drawing a line in the sand'; through the establishment of fully or partially protected zones or areas, and boundaries for human settlements. The mechanisms for protecting certain areas vary from the national parks and green belts of the United Kingdom, to the use of zoning in all of the case study areas.

In the Peak District, there is still a problem with controlling cumulative effects, especially in green belt areas that adjoin the Park, as a result of cumulative changes in rural land-use patterns (traditional rural farming is being replaced by more intensive rural recreational uses), and pressure for housing development (both for affordable/social housing and entrepreneurial housing development) (see section 4.6.2, Key Pressures on the Peak District Landscape).

In addition to planning controls, a range of tools are used to manage cumulative effects. These vary from public ownership of key land areas, through to public-private partnerships for land remaining in private ownership (see section 5.5).

In the case of the Oak Ridges Moraine, in order to secure ecological integrity in the face of development pressure, land swaps to secure non-developable land in public ownership (for a park) took place. The private owners are to be compensated with developable lands off the Moraine. Other land was secured in a park through dedication of Natural Core Areas to public ownership, in exchange for the redesignation of land owned by the private developer from Countryside Area to Settlement Area (see also section 5.5.1.)

Ecological deterioration is also arrested through offering incentives such as compensation where income may be lost as a result of environmental protection measures, which is the case with England's rural development schemes (see section 5.5.1, and section 4.3.5, England Rural Development Programme). The Commissioner has previously investigated efforts to enhance ecological integrity on private land in New Zealand, and recommended that:

Where native plants on working lands provide both private and public benefits, ... the role and potential of cost sharing between public agencies and landowners [be assessed].⁴

5.2.4 An area-specific approach

The legislation and corresponding Oak Ridges Moraine Conservation Plan are drafted to manage the specific values of that landscape. The Moraine Plan is based on the watershed and ecological boundaries of the Moraine and has a substantial focus on protecting the watershed and the many ecological services it provides, including drinking water to residents and surrounding human settlements. Because it is a new plan, it will be some time before its effectiveness and actual outcomes are known.

5.2.5 Questions

- How can the significant values associated with a particular landscape be determined and agreed?

- Would an area-specific approach be suitable for certain New Zealand landscapes - where the area includes key areas for protection and areas deemed appropriate for settlement or higher intensity recreation?
- Does planning in New Zealand need to be more directive? Should New Zealand use a planning framework based on zoning? How acceptable would zoning be?
- Would the potential long-term benefits of a more directive approach outweigh the initial costs of transition and opposition from some sectors of society?
- Would a more directive approach from central government be acceptable at a regional level?
- Change will take place, but what type of change and to what extent does the community want change?
- To what degree should change be permitted, through, for example, having more people living and accessing these landscapes, when it:
 - diminishes the valued experiences of many people across the community;
 - is likely to undermine the ecological functioning and integrity of New Zealand's unique ecosystems;
 - impacts on the quality and access to opportunities for 'wilderness experience'; and
 - changes how the landscape looks in such a way as to detract from what is either awesome, amazing, unique, special, outstanding, or beautiful (we do have these words in the English language to give explanation to how we regard something)?
- What tools, in addition to planning, could be used in New Zealand to manage cumulative effects strategically?

5.3 Governance and planning processes

5.3.1 Input from national agencies

The PCE's investigation of peri-urban development in New Zealand noted "a relative lack of leadership and guidance from national agencies in the early stages of the implementation of the RMA".⁵ National guidance is an important part of

the land-use management and planning processes in the international case studies.

A key aspect of the English planning system is the active role of central government. The government gives clear leadership through the various policy guidance documents.

Implementation at a regional level occurs through the regional government offices. Planning authorities do have discretion not to follow the guidance but, if this discretion is used, it must be justified or the plans can be overturned by central government (see section 4.3.2, Local Government Organisation).

The area-specific legislation that enacts the Oak Ridges Moraine Conservation Plan is established at the provincial level by the Ontario Legislature (equivalent of New Zealand national level). The Ministry of Municipal Affairs and Housing, in conjunction with four other government ministries, have completed training sessions for provincial staff, municipalities, and development and environmental stakeholders in relation to the newly established legislation. The ministries will also supply technical training on technical guidance documents that cover topics such as water, natural heritage, aggregates and landform. This training is intended to assist municipalities in bringing their local plans into conformity with the Moraine Plan, and in preparing their watershed, water budget and water conservation plans.

5.3.2 Local authority issues

5.3.2.1 Capacity and capability of small territorial authorities

The capability and capacity of small territorial authorities to deal with legislative and land-use management requirements is an issue in New Zealand. Similar concerns have surfaced in the Ontario case study. These concerns relate primarily to the ability of lower-tier municipalities (who lack resources and expertise) to carry out the studies and evaluations required by the Moraine Plan. In this case, the Environmental Commissioner of Ontario has urged the provincial government to

assist municipalities through the provision of baseline information, mapping, technical and policy guidelines, identification of performance indicators and monitoring and evaluation systems.

5.3.2.2 Cross-boundary issues

In Ontario, the area-specific nature of the new Moraine Plan aims to address cross-boundary issues by establishing a management framework that is consistent for the entire geographical feature, and that all municipalities must conform with.

The achievement of an integrated planning vision at the regional level and a coordinated effort between the various planning authorities has been a problem in England, including the Peak District. It is hoped this will be addressed through the establishment and increased role of regional government offices, which may eventually take over many of the county councils' planning roles such as the preparation of the Structure Plan. The Peak District National Park falls geographically within four regional government areas. To avoid conflict, three of the government offices have delegated their regional responsibility for the National Park to the East Midlands Government Office.

Likewise, in South Africa the Cape Peninsula National Park is managed solely by SANParks, the national park agency, to ensure consistent management of protected areas on the Cape Peninsula.

5.3.3 Questions

- What guidance and assistance should central government in New Zealand provide to local authorities?
- Do smaller councils require extra support?
- What degree of compliance with national guidance should be required?

5.4 Sustaining visions - continuity and community involvement

5.4.1 Continuity in the planning process

In *Managing Change in Paradise* we found that, despite good planning, there are various points where the process can break down. For example, changes in political leadership can produce a discontinuity in advancing planning for long-term outcomes.⁶ “It is a challenge to maintain an environmental strategy long enough to see the outcomes on the ground.”⁷

This is also clearly reflected in the length of time taken to secure changes in the management of the Oak Ridges Moraine (see sections 2.4, Putting the Moraine on the Political Agenda and 2.5, Pre-2001 Legislative and Planning Framework and appendix 2A, Timeline of Significant Events and Reports Leading to Change of Planning Approach). However, focused attention on the management of the Moraine by environmental non-government organisations, city councillors, opposition parties, Moraine residents, the media, the Environmental Commissioner of Ontario, scientists and regional level municipalities provided a strong platform for securing planning to address long-term environmental outcomes.

The new Moraine-specific legislation and corresponding Oak Ridges Moraine Conservation Plan provides for both the evolution of the Plan through the required ten-year review, and for continuity and long-term outcomes by securing significant areas of land - that cannot be reduced in size over time - as Natural Core and Natural Linkage Areas. These areas provide an unbroken ecological corridor the length of the Moraine, and opportunities for passive recreation.

In England, continuity in the planning approach is provided through the Planning Policy Guidance notes (see section 4.3.3, Central Government Leadership). These are refined on an ongoing basis to reflect evolving societal values. This approach allows for the planning process to be influenced but not captured by changing political agendas.

Whilst the political process, particularly at a local government level, will always influence planning, policy guidance provided at a national level creates the opportunity for more stability and continuity. Structure Plans are intended to be evolving documents with different aspects coming up for review at different times (see section 4.3.1, Control of Development).

The Peak District National Park and Oak Ridges Moraine case studies illustrate clearly the need for a long-term future focus, where what is to be achieved is clearly articulated, then planned for.

The establishment of the Cape Peninsula National Park provides continuity for the management of this area.

5.4.2 Community consensus

The importance of community involvement in the planning process is demonstrated in the three case studies.

In the Cape Peninsula, community consensus is important because of the need to consolidate privately owned land into the Park. Also, because the Park is so accessible to a large local community, people become unhappy if they think restrictions might be placed on their use of the Park, so consultation and information sharing are important parts of the planning process.

For the Peak District National Park, community consensus is critical, because the land within the Park is privately owned. Both the Management and Development Plans have been developed with extensive and ongoing community input.

In the case of the Oak Ridges Moraine, collective community concerns about the impacts of proposed developments, were an important catalyst to changing the planning approach. The community, through environmental non-government organisations, demonstrated significant leadership in expressing its vision for the Moraine and working towards securing its ecological sustainability. The Government consulted widely with the community throughout

the process of introducing the new Oak Ridges Moraine Conservation Plan, and continues to keep people involved through public education activities.

5.4.3 Strategic vision

The case studies highlight that the vision for management can be regional, national or international. The ecological importance of the Cape Peninsula is recognised at an international level, with it being within the Cape Floral Kingdom, and having high biodiversity and endemism relative to the size of the area. A vision for management of the Cape Peninsula National Park has been developed, which is required to be in keeping with the vision of the national park agency, SANParks. In the Peak District, whilst the vision for countryside management is applied at the regional level, it is widely supported at the national level. In Ontario, the vision is one for the region. If the planning is successful in sustaining the vision for the Oak Ridges Moraine, the approach may be applied across Ontario to support the visions for other ecological catchments.

The Oak Ridges Moraine case study illustrates how a strategic vision can be developed from the 'bottom-up' - that is, from community leadership. The commitment to the vision from the community, can motivate the politicians to buy-in to the vision, and then build the infrastructure to support it from the 'top-down' - the national level agencies lead the policy and guideline process, and technical implementation is undertaken by local government.

5.4.4 Questions

- How could better continuity be achieved in the planning process in New Zealand?
- Will the provisions of the new Local Government Act 2002 be sufficient to address the issues discussed above?
- How can local and central government agencies work with communities to articulate an agreed vision?

- How can the vision and corresponding management strategy be sustained long enough to see action and outcomes on the ground?

5.5 Package of tools additional to statutory planning

In all three case studies a range of methods, in addition to statutory planning, are used to achieve desired outcomes. For example:

Peak District

- Designation of national parks under the National Parks and Access to the Countryside Act 1949.
- Provision of information through State of the Park reporting (required under the Environment Act 1995).
- Development of a community-based strategic vision for the Park under the Environment Act 1995 (National Park Management Plan).
- Landscape Guidance and Landscape Assessment provided by the Countryside Agency through the Countryside Character Initiative (see section 4.3.6).
- Special assistance funding for desired land-management outcomes through the England Rural Development Programme primarily the Countryside Stewardship Scheme and the Environmental Sensitive Areas Scheme.

Cape Peninsula

- Use Zones: indicate desirable management approach for areas within and around the Cape Peninsula National Park. Also provides the Park management with a platform on which to oppose developments.
- Environmental management contracts between the Park management and private landowner, which provide a range of options and incentives for landowners (see section 3.6, Process for Acquiring Private Land to Incorporate into the Park).
- Partnerships between Park management and impoverished communities near the Park to improve their circumstances and reduce pressure on the Park from unauthorised resource use.

- ‘Go Green’ card: to provide a source of funding - gives card holders access to Park ‘Pay Entry Points’ and discounts at Park facilities and attractions.

Oak Ridges Moraine

- Establishment of a non-profit corporation (the Oak Ridges Moraine Foundation) to fund and support activities such as land securement, monitoring, scientific research, public education, private lands stewardship and provision of low-impact recreation.
- Land swaps (see 5.2.3 and 2.6.4, Securing Private Land Proposed for Development as a Protected Publicly Owned Park).
- A six-month moratorium on development whilst government consulted with the community on management options for this significant landscape.
- Use of studies, strategies and programmes to inform and support planning. For example, Growth Management Study, Rural Economic Development Strategy, water-use strategies and programmes to reduce pesticide use and manage use of road salt.

The case studies also highlight the need for effective communication, training and education across the community in relation to planning requirements (see the discussion above in section 5.3.1, Input from National Agencies).

5.5.1 Cost-sharing and public-private partnerships

In *Managing Change in Paradise* we noted that the majority of land in peri-urban areas of significant landscape value is in private ownership. However,

... the significant values attached to these areas result in the public taking an active interest in how these values are managed. Disagreement over how that private/public conflict can be resolved is a barrier to [New Zealand's] capacity to move forward.⁸

Where strong environmental protection is seen to be required and the land is in private ownership, the sharing of costs with public agencies is a common feature amongst the case studies.

In the United Kingdom, the expropriation of property rights 53 years ago, to develop rural areas, has been accepted and does not now appear to be a major political issue. With a strong planning regime accepted by the community, ownership of land by the Crown is not seen as necessary to control land-use outcomes. Where planning law is proving to be less effective, various rural development schemes aim to compensate landowners for any income lost from establishing or improving environmental outcomes on farmland. Landowners are provided with incentives through public funds to carry out activities, such as reverting to, or retaining more traditional farming practices that will protect ecologically sensitive areas on farms (see section 4.3.5, England Rural Development Programme). Public funding of private landowners is an accepted practice in the United Kingdom and European Community as a means of achieving public benefits.

In the Cape Peninsula there are a range of options for working with private landowners to achieve a coordinated approach to a geographical, ecological or landscape area across individual property boundaries. This is achieved by offering to assist private landowners with meeting legal requirements for specific environmental standards. Options range from contracting land management to the government park agency, donation of parts of the land, or outright purchase of the land. A land negotiator is employed to liaise with landowners over the options for including their land in the Cape Peninsula National Park.

5.5.2 Questions

- Should New Zealand be considering opportunities for cost sharing and compensation as illustrated in the case studies?
- Under what circumstances would it be suitable to trade different pieces of land between private and public ownership?
- Is purchase of key areas necessary, or is it more effective for land to be retained in

private ownership and the ecological and societal values maintained or enhanced through other means? Or is a mixture of these the best approach?

- How does the sharing of costs to achieve certain environmental outcomes compare with an approach that requires personal responsibility for the costs of having an adverse impact on the environment?
- What incentives can be used to motivate private owners to contribute to an agreed community agenda?

5.6 Knowledge base

Managing Change in Paradise concluded that:

The current environmental and planning management system is information hungry. We need better baseline resource information and monitoring information. The fragmented nature of research associated with the development and functioning of urban and peri-urban systems in New Zealand is a major strategic weakness.

In Ontario, Canada, the development of the Oak Ridges Moraine Conservation Plan has been informed by a substantial amount of information, primarily based on the three-year planning study commenced in 1991. This was a strategically focused study specific to the Moraine area. It involved 15 coordinated background studies (see appendix 2B, Pre-2001 Legislative and Planning Framework, for details). The information gained from this research has raised understanding of, for example, hydrological system function, urban growth design, water supply and sewage systems, landform conservation, and the important ecological and cultural heritage sites requiring protection measures.

The Oak Ridges Moraine Conservation Plan has many planning requirements that will need a considerable amount of supporting information. For example, comprehensive growth management studies that need to include a rural economic development strategy; watershed plans that include requirements for a water budget and

conservation plan, land- and water-use management strategies, an environmental monitoring plan, criteria for evaluating the protection of water quality and quantity, and hydrological features and functions. The Ontario Government, in consultation with municipalities, is to identify performance indicators for monitoring the effectiveness of the Oak Ridges Moraine Conservation Plan. In addition, the recently established Oak Ridges Moraine Foundation has responsibility for funding ongoing research and monitoring.

In England, in addition to the information provided by the Office of the Deputy Prime Minister on the planning process (discussed in section 5.3), a key source of information to planners is the Countryside Agency's Countryside Character Initiative. This Initiative has resulted in guidance documents for planning authorities on how to undertake more detailed local character assessments.

5.6.1 Questions

- What role should central government and research agencies have in providing information to planners, the community and decision makers involved in the management of icon landscapes?
- What questions do people responsible for managing icon landscapes need to be asking and seeking information about? Here are some ideas:
 - What are community responses to change in the landscape from increased tourism, residential development and intensification of land uses?
 - What are the significant ecological features and processes of a particular landscape?
 - What are the cultural heritage features of the landscape?
 - Is the landscape valued as a lived-in landscape or as a wild landscape - can it be both?
 - What understanding do people have of the relationship between what they value in a landscape and how their activities impact on those values?

- What kind of economic framework is required to support the maintenance of the values associated with this landscape?

This report has presented many options to consider in progressing management of icon landscapes in Aotearoa/New Zealand. You can visit our website at www.pce.govt.nz for links to websites in Canada, South Africa and England that contain information referenced in this report.

- ¹ Parliamentary Commissioner for the Environment. 2001. *Managing Change in Paradise: sustainable development in peri-urban areas*, p. 94.
- ² The overarching planning instrument in the Canadian case study is provincial - this would be the equivalent of national level legislation for area specific planning in the New Zealand context. Federal government in Canada does not concern itself directly with land-use management.
- ³ Parliamentary Commissioner for the Environment, 2001, p. 95.
- ⁴ Parliamentary Commissioner for the Environment. 2002. *Weaving Resilience into our Working Lands: recommendations for the future roles of native plants*, p. 34.
- ⁵ Parliamentary Commissioner for the Environment, 2001, p. 92.
- ⁶ Parliamentary Commissioner for the Environment, 2001, p. 92.
- ⁷ Parliamentary Commissioner for the Environment, 2001, p. 96.
- ⁸ Parliamentary Commissioner for the Environment, 2001, p. 92.

Table 5.1: Comparison of management approaches between the case studies and New Zealand

Policy and Planning	Oak Ridges Moraine	Cape Peninsula	Peak District	New Zealand
Central government role	Federal - No. Provincial: Ontario - Yes. Established area-specific legislation and Oak Ridges Moraine Conservation Plan. To provide implementation guidance to local authorities.	National - No. Provincial: Western Cape - support, monitor and regulate development planning at provincial and local government levels.	National - Yes. Provision of guidance and general legislation (e.g., Town and Country Planning Act 1990).	Resource Management Act 1991. No specific guidance for landscape issues or related national policies.
Local government role	Multiple local authorities responsible for implementation of the Plan in their area.	Cape Town - work with park authority to integrate plans and define urban edge.	The Park Authority is the local planning authority - implements planning process.	Local government implements Resource Management Act 1991 through regional and district policy and planning. Landscape policies vary.
Information to inform planning	Substantial.	Good.	Substantial.	Variable.
Prescriptive approach	Yes.	No.	Yes.	No.
Effective control of cumulative effects	Previously no - new plan intended to manage effectively.	Intended, but boundaries under significant pressure.	In most cases yes.	No.
Use of zoning	Yes - fundamental core approach.	Yes - core protected, for other areas guidelines only.	Yes - fundamental approach.	Variable - region specific.
Involvement of non-government organisations	High.	Some.	High.	High.
Cross-boundary issues	Yes - many municipalities (all have to comply with the Conservation Plan for Oak Ridges Moraine). Three regions in Greater Toronto Area have worked together on Oak Ridges Moraine issues.	No - one authority.	Yes - to avoid conflict at a regional level, one of the four regional councils with jurisdiction in the National Park has been delegated responsibility across the four regions.	Some, localised.

Policy and Planning	Oak Ridges Moraine	Cape Peninsula	Peak District	New Zealand
Use of public-private partnerships (including subsidies)	Not a major component.	Yes - significant.	Yes - significant.	Some.
Securing land in public ownership - Land Exchange - Purchase	Yes. No.	No. Yes (limited).	No. No.	Limited. Yes.
Key drivers for protection	Hydrology. Ecological integrity and function. Limiting urban sprawl.	Indigenous biodiversity. Maintaining quality of human experience.	Public access. Landscape. Traditional use patterns.	Preservation/protection of natural character, features, landscapes significant vegetation and habitat, Maori cultural associations ... (as per the Resource Management Act 1991).
Current key pressures	Population growth. Aggregate extraction. Subdivisions/lifestyle blocks.	Population growth. Tourism - visitor numbers. Poverty - unauthorised resource use.	Tourism. Recreational use - visitor numbers.	Lifestyle blocks/subdivisions. Tourism/recreation. Intensified/changing land use.

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