

Experience Versus Expectation - The Effect of Land Development Professionals' Decisions on Sense of Community, Sense of Place, and Flexibility of Tenure

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SUMMARY

Housing is a 'hot topic' in Aotearoa, New Zealand right now. Research shows a huge disparity between what developers are building and what the country needs: the supply and demand do not match. Territorial Authorities are trying to find ways to increase urban density. Developers are scrambling to find land to develop. Meanwhile, traditional freehold, greenfield housing developments continue in full force, sprawling outward instead of upward, and putting pressure on infrastructure and resources.

Being a professional means having a duty of care for the community. But are we getting it right? This research highlights successes from certain decisions on a medium-density developments and improvements that could be made during the decision-making process. To make these improvements could be to increase the chances of forming a thriving community. Can we increased density and build community?

This is an investigation of international literature and a Wellington development case study. Findings include a link between variety of tenure and housing types with diversity and therefore a sense of community and place. This link is positive in some ways, but in other ways it has introduced uncertainty about responsibilities and a divide between tenants and owner/occupiers.

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1. INTRODUCTION

Medium density residential developments are a reality and a necessity for Aotearoa, New Zealand but this form of housing cannot be treated alone as a panacea for community wellbeing. Instead, a holistic approach to development through investing in community, sense of place, and flexibility of tenure has the potential to produce more inclusive and sustainable communities. This research has discovered some successes and improvements to share from a medium-density development in Wellington.

1.1 Research Objectives and Strands

This research sheds light on building a successful medium density housing development. The three focal points of this research are sense of community, sense of place, and flexibility of tenure. They are invariably linked to each other and linked to building sustainable communities. Experience suggests they are not often the focus of development professionals, when they could have huge influence on the development's success. These three focal points are referred to as the 'strands' through this paper.

The objectives of this research are as follows:

- Gain perspective from owners and residents of a development as to their own sense of community, sense of place, and flexibility of tenure;
- Gain perspective from development professionals of the same development as to their decision making for the project; and
- Review existing literature to gauge the level of international research on this topic.

1.1.1 Sense of Community

Community is used here in reference to how 'together' a group of people act. When extrapolated to a residential neighbourhood, a sense of community is how 'together' the neighbourhood feels. It is intangible, therefore difficult to identify. A sense of community builds through many small encounters as well as through shared experiences and commonality.

1.1.2 Sense of Place

A sense of place is a term used here for when a person or community feel pride in their home and therefore draw some of their identity from that place. When a person/community have a strong sense of place, they look after it. They become a steward who looks after a place for future generations. As Cassim Shepard puts it, "through collaborative activities, stewardship fosters a sense of community shared among diverse participants" (Shepard, 2017, p. 59). Thus, sense of place and sense of community are linked.

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1.1.3 Flexibility of Tenure

The term ‘flexibility of tenure’¹ used in this paper, refers to the ability for a property right holder to make changes within their rights. The flexibility to make changes within those rights could be constrained by an easement or covenant over the title, a requirement to get approval from the body corporate to change physical features, or how pro-active a tenant’s landlord is.

Flexibility of tenure is linked to sense of place and sense of community. An owner may not be able to make a place their own if they cannot legally change certain features. Similarly, those who do not own property freehold may struggle to feel part of a community. The ownership of land can create a sense of place, a sense of community, a sense of belonging (Brown, 2017).

Freehold title is perceived as having a higher value than a unit title (Eves, 2008). A unit title is likely to be more affordable but is difficult to make changes to. Due to this market perception, freehold title may be forced upon a medium-density residential development. However, often there are so many encumbrances on these titles that ownership is just as inflexible, maybe even more so than if the entire development was in unit titles.

2. LITERATURE REVIEW

2.1 Urban Design Principles

Urban design responses to developing safe, sustainable communities are well researched. Many models exist for the land development industry to draw from. Crime Prevention through Environmental Design (CPTED) and the Seven Cs² are well ingrained into New Zealand’s design practices. Local government and central government draw on these principles in New Zealand (Auckland Council, 2019; Ministry of Justice, 2005; Urban Design Protocol, 2016).

2.2 Existing Case Study

Renata Ferreira, an urban designer from Boffa Miskell, undertook a case study about a medium-density development, Altair, in Wellington (Ferreira, 2012). This study, while relevant to this research and helpful to confirm some themes discovered in the data collection process, uses quantitative questionnaires. The commentary did not reflect any effects on community or sense of place specifically. Rather, the built form was assessed against the Seven Cs.

¹ Tenure is used here in reference to land and how rights to land are held. Land tenure is not necessarily just the legal framework but can also include restrictions resulting from environmental pressures and social pressures. The majority of New Zealand has a western tenure, which is very individualised. Other land tenure types are collective, communal, and pastoral (Goodwin, 2017).

² The Seven Cs, as described by the Urban Design Protocol (2016), are essential design qualities: Context, Character, Choice, Connections, Creativity, Custodianship, and Collaboration.

2.3 Sense of Place & Stewardship

In his book, *City Makers*, Cassim Shepard talks of stewardship as an ethic which is both "an active and concrete activity" (p59). While he is referring to cultivation in East New York community gardens, Shepard points out that the term goes much further. He cites Aldo Leopold who pointed out humanity's failings when we consider land as a commodity to be owned rather than a commodity that we belong to. Leopold says of humanity's failings that "the land-relation...is still strictly economic, entailing privileges but not obligations" (Shepard, 2017).

2.4 Sense of Community

Community has been defined in many academic writings but to choose one often-used example, "it is a phrase commonly used...to characterize the relationship between the individual and the social structure" (Chavis & Wandersman, 1990). More recently, Mark Roseland combines community and diversity in his book, *Toward Sustainable Communities*. "True and rich community is a mix of people of many ages, socioeconomic backgrounds, ethnicity and abilities sharing their lives" (Roseland, 2013).

2.5 Flexibility of Tenure

Many decisions and designs in land development are heavily controlled by laws and regulations. The Unit Titles Act (2010) is the most relevant piece of legislation to the research topic in New Zealand. With clauses around how many owners trigger a body corporate (10) and what quorum is required to pass votes in meetings (25%), the Unit Titles Act is certainly relevant to address the suitability of unit titles for medium-density developments.

One may argue that there is minimal flexibility in New Zealand's western tenure system. However, there are choices for what mechanism to use for managing common property (Finn, France-Hudson, & Toomey, 2016), and for securing a bundle of rights. As will be discussed later, the choice of legal ownership structure, and the understanding of that structure, can influence flexibility.

2.6 Success Assessments

Assessments of success through the eyes of residents is not an entirely new concept. There are plenty of resources relating to good practice for medium density developments (Beacon, 2008). A series of evaluation standards from the United Kingdom, United States of America, and Europe are reviewed by Boarin et al (Boarin, 2018). The authors then provide a post-occupancy evaluation suitable in a New Zealand context, which draws on both qualitative and quantitative methods.

2.7 Research Methods Literature

The choice of research method was influenced by two books: *The practice of Social Research* (Babbie, 2010) and *Advanced Research Methods in the Built Environment* (Knight & Ruddock, 2008). There are many different methods and paradigms of research. These are illustrated in the below table (Dainty, 2008). As a result of reading about the various methods, a mixed-method research approach was used.

2.7.1 Mixed-Method Literature

Evidence indicates that qualitative methods are often avoided or missed. The construction management field appears “reluctant to adopt the kinds of radical qualitative research methods which could provide richer insights into industry practise” (Dainty, 2008). Although relating to construction management, the same could be said about land development professionals. Little evidence was found that indicated qualitative research has been adopted in the residential development space, in particular by surveyors and developers.

The research question is situated around project success. Phua and Rowlinson, as quoted by Haigh (2008), noted, “...project success is a complex and multi-faceted concept that cannot be understood using the conventional deductive approach...” (Haigh, 2008). For this, and the above reasons, qualitative methods appear the most appropriate method for this piece of research.

To use qualitative methods in isolation, however, would be to narrow down the results. It would be like “viewing the world through a particular instrument...[it] reveals certain aspects but is completely blind to others” as Mingers so eloquently put it (Dainty, 2008). As such, a multi-strategy approach was adopted, combining a case study, interviews and observations.

2.8 Gaps in Existing Research

Previous research has not been able to directly compare fee simple title with unit title with such a close cross-over as the case study, Kairangi, provides. This research merges the three research strands into one topic. It is uncommon for literature to draw links between legal ownership, sense of community, and sense of place.

Additionally, commentary around residential development has often adopted a quantitative approach for the research methods. The focus, particularly by surveyors, is often on how many lots, what volume of earthworks, or how many people are living there. Instead, this paper focuses on the residents’ side of land development after a few years of living there.

Using a case not yet studied in academia, along with interviews of community members and development professionals, this research seeks to draw on the benefits of qualitative methods. Thereby, filling a gap in research.

3. RESEARCH METHODS

This paper achieves the research objectives through use of a case study and a literature review. The case study is of a residential, medium-density development in Wellington, New Zealand. The development, Kairangi, was split into two stages named the Village and the Rise. Kairangi was chosen due to its uniqueness in density and the differences between both stages.

A mixed-method approach was adopted for this research with a focus on grounded theory, a qualitative technique. This choice was driven by the ‘end-user’ nature of the research question. A series of interviews drove the creation of theories, rather than positing an hypothesis first and then trying to prove it. This has proven to be an effective method, helping highlight the true issues in the eyes of the residents.

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3.1 Defining Interview Questions

A list of questions was created to ask the developer with a matching question written for residents and vice versa. To avoid influencing participants, language was chosen carefully so as not to present the participant with what might be the interviewer's personal preference. For example, say the researcher asked the participant, "don't you think that the layout of Kairangi is good?" The participant may feel obliged to answer in a way that agrees with the interviewer's question to avoid confrontation. Instead, the interviewer should ask, "thinking about the layout of Kairangi, how do you think the design affects your sense of place?"

3.2 Data Capture and Analysis

Interviews were voice recorded at the consent of each participant. These interviews were kept anonymous. Participants were recorded with identifier P1 through to P9. The interviews were completed over a two-week period in May 2019 with a mix of residents and development professionals. At each visit to Kairangi and after each interview, observations were recorded immediately before and after. These were to capture non-verbal information received. During and after collecting data, two methods of coding were used: axial and open.

3.3 Commentary of Research Limits

Time constraints meant the interview recordings were not fully transcribed. This had the potential to introduce researcher-bias during post-processing of these voice recordings. They were paraphrased therefore may be subject to bias because they were a mix of the researcher's and participants' language.

This was a cross-sectional study meaning research was completed at a certain point in time. Results may differ should a long-sectional study be done. That would involve a researcher being involved from the very conception of the development, through completion, maintenance, and years into the life of the community.

The residents who agreed to participate in this research may be all from very similar backgrounds. They were all registered owners and/or part of the body corporate committee. This may result in biased interview data from residents. Unsuccessful attempts were made to recruit tenants at Kairangi.

Finally, grounded theory as a method brings challenges. Extra care had to be taken not to include personal biases that may affect data analysis. These included the researcher's personal beliefs but also existing experience and knowledge as the cadastral surveyor on Kairangi Rise. The research had professional relationships with the development manager, lawyer, architect, contractors, and Council officers. Thus, questioning was kept neutral no matter which group the participant came from.

4. CASE STUDY

Kairangi development looks like one whole but the Rise and the Village are two quite separate entities. These separations are physical but they also differ through legal ownership, layout, and the mix of residents. The Rise property is held in freehold titles and was advertised as individual houses. The common property is owned in common and a Committee of Owners was legally created. The Village consists of unit titles and was advertised as a

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community. The common property is owned in common with a body corporate management company managing the legality of the unit title and a body corporate committee representing the residents.

4.1 Beginnings of Kairangi Development

This site is labelled a ‘windfall’ site by the Council. Before the developer bought the site, the land had been zoned residential in the District Plan but had not yet been used for residential purposes. The site is near to beaches, cafes, the airport, a cinema, schools, a gas station, and walking tracks. It offered potential residents access to a variety of amenities (P4, 2019; P6, 2019).

In the initial concept phase, the development density started off relatively low and the existing roading layout was incorporated. From that linear roading layout, 29 individual freehold parcels were designed into what was then 1.34 hectares ((Boffa Miskell, 2004; Traffic Design Group, 2004). At that time, in the early 2000s, development professionals were working within regulations that discouraged increased density.

10 years later, the concept was revisited. The topography of the site lent itself to a higher density development as it sits within a basin (Gawn, 2019; P4, 2019). This time, regulatory restrictions had eased due to a District Plan change (Wellington City Council, 2009). Because of this plan change, Council staff could look more favourably upon residential densification (P4, 2019; P7, 2019).

Between that initial concept design and the final design, the site’s land area increased to 2.2 hectares as a result of a land purchase. That purchase also provided a new access point from above the site for what is now the Rise. At this point of the development, Kairangi became two entities separated by access, legal structure, and topography. This became a pivotal decision which changed the development outcome.

The development professionals’ objective for the Village was to create a community within itself (Gawn, 2019; P4, 2019; P7, 2019). The objectives for the Rise, on the other hand, were to make the most of the higher elevation and views. In both cases, the aim was to build with density, therefore lowering the land cost per unit (P4, 2019; P7, 2019).

4.2 During the Development Process

A rationalisation survey was deposited to create ‘super lots’ in preparation for the development. The base land for the Village became Lot 56 DP 483118. For the Rise, Lot 99 DP 483118. The boundary between Lot 56 and Lot 99 was offset from the bottom of a new timber retaining wall (Brett Gawn, 2015). On this same plan, the easements and covenants were created for the base land of both the Village and the Rise. After the unit title and subdivision plans were deposited, the total residential property titles came to 66: 27 freehold and 39 unit titles.

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The first purchaser was a community-housing provider, who agreed to purchase eight housing units in the Village. It was not the developer's direct intention to build social housing, it was more of a fortuitous coincidence (P4, 2019; P7, 2019). The community-housing provider funds developments which are both financially affordable and physically accessible. These two factors drove the need to split the eight units into two: one upper floor, and one lower. This split became one of the major influences on the legal ownership structure at the Village because unit titles allowed for this vertical split (P7, 2019).

Individual purchasers started buying and moving in early 2016 with the last purchaser moving into the Village in August 2016 (Dominion Post, 2017; P3, 2019; P5, 2019). Prior to the new titles issuing, a body corporate manager was assigned (P7, 2019; P8, 2019).

4.3 Kairangi Development Today

At the time of this research, the Village was fully occupied and the Rise was near completion. A majority of Village residents had lived there since the beginning, about three years, with some families moving out of the Village into larger homes or for work reasons (P1, 2019; P3, 2019; P7, 2019). The majority of units are either owned by the community-housing provider and occupied by their tenants, or owned and occupied by private owners. Some units are private investments properties with tenants residing in them. The owner/occupier to tenant ratio in the Rise was not researched as part of this paper. What is known though, is that no social housing exists within the Rise.

Kairangi Village residents are a diverse mix of people with different backgrounds. A mix of income exists between the investment property tenants, community-housing tenants, the owner/occupiers, and residents who work in the film industry. A mix of ages exists with young professionals, families with children, and retirees. A mix of ethnicities exists with Middle-Eastern, Eastern-European, New Zealand European, Māori, African, Vietnamese, Cambodian, Chinese, Spanish, Brazilian, French, Indian, Sri Lankan, American, and South African (P2, 2019; P3, 2019; P4, 2019; P5, 2019).

The Village has a looped road, a green reserve in the centre with a small playground, and 39 units surrounding it. Some units are set back from the Village centre with small driveways. The land is relatively flat but slopes up toward the Rise and to the north to a residential road. Two sets of outdoor stairways provide pedestrian connectivity through Kairangi as a while and between two suburbs.

The first stage of the Rise was completed in stages after the Village with the first stage being a row immediately adjacent to the Village. A new timber retaining wall demarked this boundary. The stages then worked up the hill toward the north. At the time of this research, 12 houses had been occupied for approximately one year. Five more were recently completed and new occupants were moving in.

4.4 Legal Ownership Structure

Kairangi Village is held in unit titles and has a series of common areas owned by the body corporate: significantly, the central green area and the loop road. Kairangi Rise is owned

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in individual freehold titles and has more linear physical layout than the Village. The main vehicle access for Kairangi Rise is a jointly owned access way with 27 undivided shares. Three smaller vehicle accesses branch off the main one, which are owned in common by smaller groups of owners.

The decision to create the Village as a unit title was driven by site amenities and the community-housing provider’s requirements. The layout of the Village, because it was designed to encourage community, resulted in shared areas and therefore demanded a secure mechanism for shared ownership and management: a unit title with a body corporate. Without the community-housing units, the Village may have been created as freehold titles.

The decision to create the Rise as freehold properties was financial. Development professionals and literature cited freehold properties as being valued at 10% higher than unit title properties (Eves, 2008; P4, 2019; P7, 2019; P8, 2019). The result is a long list of encumbrances and complicated tenancies in common. A committee of owners was set up as the entity for management of the common spaces in the Rise.

5. RESULTS

A total of nine participants were interviewed. Five of these were residents of Kairangi Rise and Kairangi Village, the majority being residents of the Village. The remaining four interviewees were land development professionals who were involved in the project. This section briefly outlines the outcomes of these interviews and of observations made by the researcher.

5.1 Most Common Words

In the main research, open coding was undertaken to count the most common words mentioned. For brevity, these words are not included in this paper but are shown in the below figure for reference. The most common words are larger than the least common as a range.



Figure 1: Word Map of Results from Open Coding Data Analysis

5.2 Most common themes

A series of themes became apparent within the data. These themes highlighted decisions and issues that have impacted the three research strands: sense of community, sense of place, and flexibility of tenure. Due to page limit constraints, the full results are not included in this paper. However, because these common themes form the discussion section, they are summarised below.

5.2.1 Sense of Community

The following are common themes from the data analysis that indicate a sense of community exists within a development:

- Kairangi Village has diversity;
- Neighbours help each other and share;
- Knowing their neighbours; and
- Being 'out and about.'

The following are themes from the data analysis that help create a sense of community within a development:

- Diversity helps create sense of community;
- Different housing choices attract diversity;
- Financial affordability;
- Residents spending time together;
- Body corporate committee involvement;
- A well managed body corporate;
- Residents having things in common;
- Density but not over-intensifying;
- Security of people nearby; and
- Design for a community.

Finally, these themes were found to have a negative impact on a sense of community within the case study:

- Land tenure/right holding differences
- Creation of 'no-man's land' results in relationship tensions

5.2.2 Sense of Place

Based on common themes found in through data analysis, the following are examples of how a sense of place may be embodied within a development:

- Expectations of behavior of residents (e.g. respectful, social privacy cues);
- Pride of place (e.g. looking after garden); and
- Making a place their own (e.g. choosing door colour or rearranging deck).

Based on common themes found through data analysis, the following are illustrations of how a sense of place might be created within a development:

- Aesthetic is protected through legal/social requirement for maintenance;
- Native trees and therefore birds; and
- Sense of safety.

Negative impacts on sense of place may come from the following themes:

- Mixed tenure can impact sense of place;
- Cost cutting on amenities (e.g. planting on an exposed bank); and
- Creation of 'no-man's land' prevents care of the land.

5.2.3 Flexibility of Tenure

The following are themes which indicate residents have flexibility within their property rights within a development:

- Clear expectation of residents from the beginning with a unit title; and
- Longevity of residents.

Creating flexibility of tenure can be created through the following:

- Creating unit titles with higher density rather than forcing a freehold onto it;
- Understanding property rights (e.g. reducing encumbrances where possible);
- Have a body corporate manager ready early; and
- Design with the committee of owners in mind (e.g. private backyards in unit title rather than common ownership).

Based on the case study, the following are common themes that negatively affect flexibility of tenure in a residential development:

- Freehold chosen for financial gain;
- Boundary locations ('no-man's land');
- Unclear common ownership mechanisms; and
- Forcing freehold onto a medium-density development.

5.3 Success Creators

Based on the interviews with all participants, the following is a list of factors that helped make Kairangi Village a success:

- Active group of residents;
 - Early set up of body corporate;
 - Having a central green space;
 - Patience (regulatory and market drivers);
 - Not over-intensifying; and
 - Longevity of professionals' involvement.
- (P1, 2019; P3, 2019; P4, 2019; P5, 2019; P6, 2019; P7, 2019; P8, 2019; P9, 2019)

6. DISCUSSION ON FINDINGS

The following discussion has been developed from the research data analysis as tested against existing literature to triangulate and confirm theories. However, some of these discussion points are also new concepts that have been pulled out of strong themes triangulated within the data alone.

6.1 Questioning the Assumption that Affordable Housing Brings Diversity which Encourages a Sense of Community

Many residential regeneration initiatives in the past have focused on good housing being a panacea for community wellbeing. Good housing may have been defined as good condition, affordability, or secure tenure (Roseland, 2013). In New Zealand, examples of this may be the recent work that central government did through Kiwibuild, or local government through Wellington City Housing. Subsequently, and more recently others are trying to create mixed-income and mixed-tenure neighbourhoods in an attempt to secure neighbourhood wellbeing.

Tāmaki Regeneration Company (TRC) has taken a step further into residential regeneration involving community wellbeing and adopting “blind tenure” (Berghan, 2019). The company has partnered with private companies, public office, and the community to create healthy homes within “mixed tenure (social, affordable, private) neighbourhoods with great connections to transport, green spaces, quality town centres and social infrastructure” (Tāmaki Regeneration Company, 2018). TRC might therefore be classed as one of the new generation referred to by John Emmeus Davis that have come up with a “comprehensive vision of community development” (Davis, 2012).

6.1.1 Divides Between Tenants

The options on offer at Kairangi drew residents to it from different backgrounds. The housing was designed to offer affordable options and the Village layout was designed to create space for social interaction. The physical design and legal frameworks though, may have conflicted each other. The legal framework appears to have created a split between residents of the Village between those who are tenants and those who are owner/occupiers.

This split is both behavioural and legal. Possibly through a perception of not feeling welcome, tenants do not often attend the social gatherings within the green (P1, 2019; P5, 2019; P6, 2019). Legally, tenants cannot vote in body corporate meetings. They can, however, attend meetings but may not know that or may not see a need to.

The creation of Kairangi Village as a unit title has created another layer to the tenants’ tenure and made it harder for them to feel part of the community. As discussed below, the body corporate committee at the Village is a large driver of a sense of community and place. If tenants are not on that committee, they are missing opportunities to join in on community making through shared experiences.

6.2 **Avoid No-man’s Land**

Developers often place pressure onto development professionals to gain legal titles before the final physical features are built. Boundary monuments are therefore placed before the physical bounds to the occupied parcel. The reason behind this pressure is usually cash flow. From this, a ‘no-man’s land’ is created between the physical feature and the legal boundary. This has a negative impact on all three research strands.

A tall fence was erected in Kairangi Rise after the titles had been issued. That fence physically separates the new owner from a steep bank which they own. Their neighbour below can gain physical access but only has legal access to the bottom half of the bank. While tort law prohibits the lower neighbour from doing anything that would damage the upper property, that right would be clearer with reciprocal easements in place. Clarity would help ease tensions between the owners, helping create a sense of community and allowing for maintenance to improve their sense of place.

Beyond easements, one such solution is deferred monumentation. That concept has been debated and set aside as a viable option (Goodwin, 2013). The alternative is for surveyors to speak up and question decisions made around the location of physical features in relation to

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the boundaries. Thus, significantly reducing the impact on a new right holder's flexibility of tenure from having 'no-man's land'.

A programming solution for development professionals is to involve the relevant professionals earlier. A review process at certain milestones may improve outcomes in relation to land tenure for future owners. For example, legal involvement during the resource consent application could highlight that a committee of owners may not be appropriate and in fact, an incorporated society would be more fit-for-purpose.

Part of the issue is the visual impact of the no-man's land and the inability to care for it. Therefore, another solution may be for the developer to invest in landscaping or softening of exposed features. At Kairangi, this investment was made but the plants were not maintained and died (Boffa Miskell, 2013; P7, 2019). Ongoing maintenance of these was left too late.

6.3 Unit Titles are Better Suited to Medium Density Developments than Freehold

If executed well, unit titles are more of a fit-for-purpose solution than freehold when it comes to ensuring flexibility of tenure in medium-density residential developments. To create freehold titles instead brings challenges which make it difficult for owners to understand their property rights. These challenges rise from overlapping and multiple easements, restrictive covenants, and common ownership. Without a clear mechanism for management of common property, the risk is that there will also be negative impacts on sense of community and sense of place later on.

6.3.1 The Allure of Unit Titles is in Reduced Maintenance

One of Kairangi's successes is the body corporate. Both the manager and the resident-led committee demonstrate stewardship over the Village. Many of the participants spoke of the value they saw in paying body corporate levies because the maintenance and insurance was looked after on their behalf. As a busy society, we have less time to spend on maintaining a house. Reduced maintenance may be a selling point for unit titles in the future.

6.3.2 A Body Corporate Committee Creates a Sense of Place and Community

The body corporate committee have developed a community within themselves. Going through frustrations and creating things together helps build a sense of community. Roger Kitchen spoke of the benefits of leaving a development incomplete (Kitchen, 2012). The new residents would have to work together to make the final touches and make the development their home. Although a potentially daunting concept, this may provide a way to close the gap between top-down and bottom-up approaches to residential development. Because of the nature of unit titles, there is a legal requirement for a person's property to be maintained which means their neighbour can rest assured their property is not devalued. Therefore, the body corporate committee can create a sense of place.

6.3.3 Early Allocation of a Body Corporate Manager is a Game Changer

A success creator for Kairangi Village has been the clear expectations of the body corporate. Having a clear mechanism set up before residents start moving in helps improve all

three research strands. While it is difficult for a developer to influence who buys into a residential neighbourhood, they can influence the clarity provided around the common property.

One of the potential weaknesses of Kairangi Rise is the committee of owners which has been set up to manage the common property. Time will tell as to whether this mechanism works in practice for the residents and whether a sense of place and community are created within the Rise as with the Village.

7. FUTURE RESEARCH

The following are some suggestions for future research based on theories and issues that have arisen during this research. They were not all included as they may have saturated this paper's key messages.

7.1 Closing the Gap Between Top-down and Bottom-up

There is a gap between community-led residential developments versus developer-led. There are full co-housing initiatives, driven and created by a community, which end up in unit titles. In contrast, there are medium-density developments that are forced into freehold titles where they should be unit titles. One starts with community then follows with a legal framework to support community. The other starts with the legal framework which contradicts community but is trying to build a community. If we can get industry and community to meet in the middle, we will be heading in the right direction.

7.2 Return to Kairangi

This was a cross-sectional study of Kairangi, focussed on Kairangi Village. A longitudinal study may be beneficial for the industry to learn from. The research methods in this paper could be repeated in five to ten years. More time will allow for a sense of community and sense of place to develop as residents change. An assessment could be made as to whether the Village's unit title arrangement has allowed for flexibility. That flexibility could be around the ability for adapting to change within demographics, politics, climate, and legal ownership.

If further longitudinal studies are completed, a valid research topic may be around the outcomes of having a committee of owners at Kairangi Rise. Those outcomes may be whether the sense of community within the residents of the Rise and between the residents of the Rise and the Village has improved or declined. Sense of place may also be compared between the residents of each area.

7.3 Scaling Up

If we continue to build up without putting community and place at the centre, we may end up a very isolated society. While this research applies directly to other medium-density developments, the premise may also be used to inform high-density developments. The hope is that this research can be used as a starting point for ongoing research.

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7.4 A Change to Research Methods for Surveyors and Land Developers

Qualitative research is not frequently adopted by land development consultants, in particular surveyors and land developers. Adopting ground up methods could provide richer insights into industry practice. Therefore, future research would be best done using a mixed-method approach.

8. CONCLUSION

From the variety of issues raised by development professionals and residents, housing alone is not the answer to a housing crisis. While housing options may allow for diversity, that diversity alone cannot be transformed into a sense of community without a well-formed neighbourhood ecosystem. The good news is we can capitalise on land through increased density but we can also create an environment for sustainable communities to thrive.

An easy improvement that development professionals can make is to take care in matching physical occupation with legal boundaries. Early involvement from the right professionals will improve outcomes for residents and allow them flexibility in their tenure. A more ‘out there’ solution is to leave developments incomplete and allow the new residents to work together and put the finishing touches on their neighbourhood. Though this may seem counter-intuitive, this act may allow for a sense of community and a sense of place to start growing.

While unit titles remain a perceived nightmare for some, if executed well they are a more fit-for-purpose solution than the alternative of forcing a freehold title upon medium-density developments. The allure of reduced maintenance may be a selling point of unit titles for a busy society. The body corporate committee itself can create a sense of community and place if they are given an early start. However, innovation is required to encourage participation from tenants in their communities when they may feel unwelcome. This innovation may be through the use of blind tenure.

REFERENCES

- Auckland Council. (2019). Auckland Design Manual. Retrieved from <http://www.aucklanddesignmanual.co.nz/design-subjects/design-safety/perceptions/guidance/CPTEDintro/CPTEDprinciples>
- Babbie, E. R. (2010). *The Practice of Social Research* (12th ed. ed.). Belmont, Calif: Wadsworth Cengage.
- Beacon. (2008). Beacon Pathway Homepage. Retrieved from: <http://www.beaconpathway.co.nz/index.php/search/results/baaf3677077f0d1ec60a1f1330b1a912/>
- Boarin, P. (2018). *Post-occupancy evaluation of neighbourhoods : a review of the literature*. Porirua, New Zealand: Building Better Homes, Towns, and Cities National Science Challenge.
- Boffa Miskell. (2004). *Landscape Assessment - Booth Street Subdivision Miramar*.
- Boffa Miskell (Cartographer). (2013). Landscape Plan, Miramar
- Brett Gawn (Cartographer). (2015). Cadastral Survey Dataset Plan DP 483118 [Fee Simple Title Plan]
- Brown, K. (2017, 1st June 2017). Property Rights and Housing - Ownership, or simply access? *Survey and Spatial Magazine*, 3. Retrieved from: https://issuu.com/nzis/docs/s_s_june_2017_web
- Chavis, D. M., & Wandersman, A. (1990). Sense of community in the urban environment: A catalyst for participation and community development. *American Journal of Community Psychology*, 18(1), 55-81. doi:10.1007/BF00922689
- Dainty, A. (2008). Methodological Pluralism in Construction Management Research. In *Advanced Research Methods in the Built Environment*. Chichester, U.K. Ames, Iowa: Wiley-Blackwell.
- Davis, J. E. (2012). Looking Beyond Housing to Community Development. In M. Roseland (Ed.), *Toward Sustainable Communities* (4 ed.): New Society Publishers.
- Dominion Post. (2017, 25/03/2017). Last chance to buy in Miramar's Kairangi Rise. *PressReader*. Retrieved from https://pressreader.com/@nickname11628740/csb_jWj87MSmD66FFIfub5WUE7ghv9UukgHEtVXe0Nu-41vd0RfZfP1a7RIz4rxRQQ86
- Eves, C. (2008). *The impact of property title type on residential property returns*. Paper presented at the Proceedings of the 14th annual conference of the Pacific Rim Real Estate Society, Kuala Lumpur, Malaysia.
- Ferreira, R. (2012). *Medium-density housing case study: The Altair, Wellington*. Retrieved from <https://www.mfe.govt.nz/node/8265>
- Finn, J., France-Hudson, B., & Toomey, E. (2016). Damage, destruction, distress: Shared ownership debacles. *Canterbury Law Review*, 22(1), 57-81.
- Goodwin, D. (2013). Deferred monumentation and the shakedown factor. *Survey Review*, 45(328), 19-24. doi:10.1179/1752270612Y.0000000012
- Goodwin, D. (2017). Advanced Land Tenure. In.
- Haigh, R. (2008). Interviews: A Negotiated Partnership. In *Advanced Research Methods in the Built Environment*. Chichester, U.K. Ames, Iowa: Wiley-Blackwell.

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- Kitchen, R. (2012). What Makes a Community? - Roger Kitchen at TEDxMiltonKeynes [YouTube Video].
- Knight, A., & Ruddock, L. (2008). *Advanced Research Methods in the Built Environment*. Chichester, U.K. Ames, Iowa: Wiley-Blackwell.
- Ministry of Justice. (2005). *National Guidelines for Crime Prevention through Environmental Design in New Zealand*. New Zealand Government
- Roseland, M. (2013). *Toward Sustainable Communities: Solutions for Citizens and their Governments* (M. Roseland Ed. 4 ed.). Canada: New Society Publishers.
- Shepard, C. (2017). *Citymakers: The culture and craft of practical urbanism*: The Monacelli Press, LLC.
- Tāmaki Regeneration Company. (2018, 15/05/2019). The Regeneration Programme. Retrieved from <https://www.tamakiregeneration.co.nz/our-community/news/shared-vision-advancing-tamaki>
- Traffic Design Group. (2004). *Traffic Impact Assessment , Residential Subdivision Booth Street, Miramar*. Retrieved from
- Unit Titles Act. (2010). *New Zealand Government*. Retrieved from <http://www.legislation.govt.nz/act/public/2010/0022/61.0/DLM1160691.html>
- Urban Design Protocol. (2016). *Key urban design qualities - The seven Cs*. Ministry for the Environment, New Zealand Government Retrieved from <https://www.mfe.govt.nz/publications/towns-and-cities/new-zealand-urban-design-protocol/3-key-urban-design-qualities-seven>
- District Plan Proposed Change 72 - Residential Review: Residential Design Guide, (2009).

REFERENCES: INTERVIEWS AND PERSONAL COMMUNICATIONS

- Berghan, J. (2019, 03/06/2019). [Pers conv: Tāmaki Regeneration Company - Blind Tenure].
- Gawn, B. (2019, 05/03/2019). [Pers Conv: History of the Kairangi Development].
- P1, I. (2019, 17/04/2019) *Interview 1 - Resident/Interviewer: C. Buxton*.
- P2, I. (2019, 23/04/2019) *Interview 2 - Resident/Interviewer: C. Buxton*.
- P3, I. (2019, 23/04/2019) *Interview 3 - Resident/Interviewer: C. Buxton*.
- P4, I. (2019, 01/05/2019) *Interview 4 - Development Professional/Interviewer: C. Buxton*.
- P5, I. (2019, 01/05/2019) *Interview 5 - Resident/Interviewer: C. Buxton*.
- P6, I. (2019, 02/05/2019) *Interview 6 - Resident/Interviewer: C. Buxton*.
- P7, I. (2019, 03/05/2019) *Interview 7 - Development Professional/Interviewer: C. Buxton*.
- P8, I. (2019, 07/05/2019) *Interview 8 - Development Professional/Interviewer: C. Buxton*.
- P9, I. (2019, 09/05/2019) *Interview 9 - Development Professional/Interviewer: C. Buxton*.

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