Suburban shopping malls as spaces for community health and human flourishing: an Aotearoa New Zealand case study

Chantal Mawer & Rebecca Kiddle

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Suburban shopping malls as spaces for community health and human flourishing: an Aotearoa New Zealand case study

Chantal Mawer[a] and Rebecca Kiddle[b]

[a]School of Geography, Environment and Earth Sciences, Victoria University of Wellington, Wellington, New Zealand; [b]School of Architecture, Victoria University of Wellington, Wellington, New Zealand

ABSTRACT

This paper examines the role of semi-public spaces (in this case shopping malls) in Aotearoa New Zealand suburbs as potential sites of health and human flourishing. It evaluates two declining malls in Wellington – Johnsonville and Wainuiomata – through interviews and focus groups. The research found that these malls had played, and continue to play, an important role as spaces for social engagement in ad-hoc, but significant ways. Despite this, the community felt unable to participate in design decisions due to their being in private ownership. This paper critiques dominant conceptualizations of public and private spaces and articulate implications for urban design decision-making in support of vital suburban community space.

Introduction

Suburbia is in many parts of the world the poor cousin of urban centres. Improved road and rail transport along with polluted city centres led to the growth of neighbourhoods outside the city centre and in many countries saw the decanting of urban centres to suburbs. In recent times, urban design efforts, for the most part, have focused on the central city. While many public and community resources are located in the centre of cities, suburbs are often characterized by a lack of amenity (Cohen 2003; Parlette and Cowen 2011). Instead, suburbs have acted as 'dormitory cities' feeding labour into nearby centres, while providing few opportunities for residents to engage within their geographical communities (Gruen and Smith 1960). As urbanization continues to increase, the focus of urban development needs to shift to the suburban if we are to create cities that offer places for human flourishing wherever one choses to live. Suburbanites are increasingly seeking greater opportunities for place attachment, community cohesion and identity, often despite the lack of any public or visible community space to facilitate these actions.

Without this public urban provision, the community has flourished in unexpected spaces. The concept of 'third place' developed by urban sociologist Ray Oldenburg (1991) provides a tool to understand the nature of these spaces and how they function to meet vital community needs. Oldenburg defines different spatial spheres of life. The

'first place' refers to one's home, the 'second place' one's workplace, and the 'third place' is characterized by the social interactions that occur within it. The nature of a third place can differ widely and may include cafes, parks, shops, streets and even driveways, however their uniting feature is that they facilitate wide-ranging social interactions and connections (Carroll et al. 2015) and create a sense of place and belonging, contributing to a community's well-being (Oldenburg 1991). Third places can be publicly owned space (for example, open green spaces) or semi-public, that is for the most part accessible to the public but privately owned space (for example, cafes, shops and as is the focus of this paper, shopping malls).

Local shopping malls are increasingly being recognized as important third places, functioning as nodes of social interaction (Nowek 2016), community event venues, sites for social services (Jacobs 1984) and even exercise (Bloch, Ridgway, and Dawson 1994). The father of shopping mall design, Victor Gruen's original vision for shopping malls sought to create a place to socialize in the suburban United States at a time when interactions were typically relegated to the private sphere (Gruen and Smith 1960). In some instances, shopping mall developments were seen as a means to ensure social and civic spaces for communities (Smiley 2013). Surrounding communities have identified so strongly with some malls that they have explicitly categorized them as public space (Hopkins 1991; Kowinski 1985).

Despite this, a large number of suburban malls in New Zealand, and in other cultural contexts are in decline. This is the result of a range of factors including changing consumer tastes, E-commerce and broader divestment in smaller shopping malls (Sanburn 2017). Accompanying this decline, some communities are losing the only form of community space available to them. This is particularly true for 'poor and racialized communities {which} depend more heavily on malls for social reproduction as well as recreation and consumption' (Parlette and Cowen 2011, 794). The fact that these malls are privately owned means that the surrounding community is often unable to contribute to decision-making regarding this space (Parlette and Cowen 2011). Societies rooted in neo-liberal ideologies tend to understand space to be either 'public' or 'private'. These distinctions are bound up in legal rights to, and responsibility for space. This, of course, has implications for local community contributions to design decision-making. This is a research area of increasing importance in a time of declining malls, increasing privatization and a renewed focus on improving participatory democracy and civic engagement with our towns and cities (New Zealand Productivity Commission 2017).

This paper analyses the role that suburban shopping malls play as sources of community connection and thus health and human flourishing. This is an area previously under-researched outside of the US yet this urban typology has travelled extensively into different cultural contexts. There is a paucity of literature that considers the connection between shopping mall decline and loss of community and likewise very little focused on opportunities for community decision-making in privately owned space. This research provides a unique in-depth inquiry into the nature of decision-making within

privatised community spaces and articulates the implications for urban design decision-making in order to contribute to vital communities.

Where community happens

While health has largely been defined in terms of physical and mental states, a more recent focus on broader well-being incorporates a range of determinants such as life satisfaction, happiness and social relationships (VanderWeele 2017). This shift has also moved notions of health and wellbeing from the individual and household to the wider community, acknowledging the ways in which the environment one lives in acts to restrict or enhance an individual's health and wellbeing (Dannenberg, Frumkin, and Jackson 2011; Jackson 2003). Central to these ideas is the importance of social interactions, connections and community, also known as social capital (Halpern 2005).

The term social capital refers to 'features of social relationships – such as levels of interpersonal trust and norms of reciprocity and mutual aid – that facilitate collective action for mutual benefit' (Kawachi 1999, 120). Social capital is vital to the wellbeing and everyday functioning of communities (Kawachi 1999). Significant links between social capital, happiness, sense of belonging within one's community (Leung et al. 2011) and high levels of subjective wellbeing (Davidson and Gotter 1991) have been found in numerous studies. Conversely, the absence of social capital has been attributed to a number of detrimental health outcomes, and feelings of social isolation and depression (Hagerty and Williams 1999).

A number of writers suggest that good urban form can support opportunities for social capital (See, for example, Dannenberg, Frumkin, and Jackson 2011; Jackson 2003; Shaftoe 2008). The notion of a third place offers us a conceptual lens to think about social capital in relation to the built environment. For the most part, third places are public spaces, in that they must be neutral and accessible by anyone. However, Oldenburg and Brissett (1982, 269) point out that 'the majority of public spaces in our society fail to become actual third places' or spaces where community happens because other ingredients needed to create convivial spaces are not present, such as sociability (Oldenburg and Brissett 1982, 272). The paper acknowledges, however, that 'rational planning' is limited in its ability to provide for third places. Despite this it is argued in this paper that if this 'rational planning' or urban design decision-making (as we call it) includes those who are most likely to inhabit these third places, success is much more likely.

Secondly, a complicating factor is the nature of the ownership and whether or not space needs to be publically owned in order for it to become the third place. This is further complicated by the fact that space is generally categorized as either public or private. The rights of private landowners are privileged with these owners needing to carry little responsibility for the wider community (Kohn 2004). When thinking about privately owned malls, this privileging of private property rights over the needs and wants of the wider community can sometimes ignore the possibility of third place formation in these spaces. Though desirable community functions were to be enhanced and provided for in early shopping mall manifestos (Gruen and Smith 1960; Smiley 2013).

The term 'public space' evokes ideas of the state (Weintraub and Kumar 1997) and typically refers to a 'place that is owned by the government, accessible to everyone without restriction, and fosters communication and interaction' (Kohn 2004, 11). These

spaces generally take the form of streets, parks and squares which provide for people's movement, communication and play (Carr et al. 1992). They are understood to be key sites for community cohesion (Kohn 2004) political expression and democracy (Weintraub and Kumar 1997) as well as spaces for cultural expression and wider social tolerance (Kohn 2004; Lees 1994; Parkinson 2012). In contrast, the term 'private space' is seen to relate to the domain of the family and the market economy and is often characterized by restricted access (Weintraub and Kumar 1997).

Globally there has been a trend towards the privatization of public spaces, a trend closely linked to neoliberal ideology (Larner and Walters 2000). Privatization has been justified by some, due to the potential to improve public services without needing to increase taxes. Local governments often struggle to pay for the upkeep of public spaces accompanied by increased expectations from citizens that these spaces are clean and safe to use (Zukin 2010). The market is seen to provide public goods and services at a higher quality and lower price than the state (Larner and Walters 2000). Concerns vary regarding this trend and include the implications for democracy and political expression (Kohn 2004; Zukin 2010) to the limiting of diverse ways of engaging in a space (Lippai and Weberman 2016).

The limitations of these privatized spaces when effectively used as public spaces are in relation to their inalienable property rights attributed to the owner (Guerin 2003) but not to the users. These rights provide the owners with an ability to restrict activities within these spaces as well as exclude others from using or influencing these private spaces (Guerin 2003). Those who control space hold the power to shape individuals relationships to the 'public' and communities relationships to one another (Staeheli and Mitchell 2008)

This binaried conception of public and private space fails to take account of the way in which communities have made claims to private spaces such as malls. A number of authors argue for a reconceptualization of space; one which acknowledges the way a space is used, rather than simply its ownership structure (Kohn 2004). In light of the increasing privatization of public space, western societies are mourning the loss of 'pure public life', meanwhile we are failing to recognize and support any public life which is occurring in privatized spaces, such as shopping malls (Brill 2001).

Case studies

Wainuiomata Mall and the Johnsonville Shopping Centre in the Wellington region were the focus for this study. The two malls are set in different socio-economic and geographical contexts, as well as being at differing stages of decline and redevelopment negotiations. Both communities are characterized by limited local employment and subsequently a high commuting population (Statistics New Zealand 2013). As a result of years of disinvestment, both are in decline and retailers are closing shop, leaving only one anchor tenant remaining in both malls and visitor numbers continuing to dwindle (Edwards and Shadwell 2016; Forbes 2016). These malls have to date not been redeveloped and both are in need of renovation given the normal life cycle of mall facilities and infrastructure is typically 20 years (Dunham-Jones and Williamson 2017).

Wainuiomata mall

Wainuiomata (as shown in Figures 1 and 2) is a large suburb that is geographically isolated, sitting within a basin (Te Ara 2016) with only one access and exit point (White et al. 2017). As of 2013, Wainuiomata's resident population was 17,124 people living in 5,988 dwellings (Statistics New Zealand 2013). The majority of these residents live within walking distance to the mall. Wainuiomata has historically been a place with a high population of young families (Te Ara 2016, 1) and a significant Māori population (Statistics New Zealand 2013).

Figure 1. Location of Wainuiomata and Johnsonville.
Basemap from Apple Maps (2019)

Figure 2. Map of Wainuiomata Mall retail area highlighting the size of the mall (Apple Maps, 2018).
Basemap from Apple Maps (2019)

The Wainuiomata Shopping Centre was constructed in 1970 (Laurenson 2018) and is a fully enclosed, centrally located mall which dominates the retail centre of the suburb as demonstrated in the figure. At the time of this research (September 2017), Wainuiomata only had five retail shops remaining including the last anchor tenant, Countdown a large supermarket chain. A community needs survey highlighted the community concerns and frustration regarding the divestment in the local mall, which had previously acted as 'a proxy community space' (White et al. 2017, 9).

The Wainuiomata mall buildings account for approximately 10,000m2 in size with smaller shops abutting the main entrance. Some descriptions of the Wainuiomata Mall have highlighted its role as a focal point and community hub (White et al. 2017).

There have been recent changes that look positive. Wainuiomata Mall was sold in 2017 to Progressive Enterprises, the company operating the local supermarket (Nicoll 2017).

Johnsonville mall

Johnsonville (as shown in Figures 1 and 3) is located to the north of Wellington City near the city limits hosting a population of 10,239 residents (.id Consulting 2013a). Annual individual incomes in Johnsonville are significantly higher than Wainuiomata (.id Consulting 2013b) and young families are increasingly moving to the suburb from the city to take advantage of affordable housing opportunities (Wellington City Council 2008).

The Johnsonville Shopping Centre was the first indoor shopping mall in Wellington, opening in 1969 (Maclean 2007) and is also a fully enclosed, centrally located dominating the retail centre of Johnsonville. The Mall and the attached Countdown supermarket currently account for 13,560m2 of the 55,830m2 of commercial area available in Johnsonville, not including the 500 car parks available for mall customers and adjacent users (Wellington City Council 2008). The Johnsonville Mall sits adjacent to the central train station.

Figure 3. Wainuiomata Mall in its heyday – c1970, Interior view of the Mall at Wainuiomata in the early 1970s.

Source: Old Wellington Region Facebook page, https://www.facebook.com/photosoldwellingtonregion/photos/a.637073193047622/673536026068005/?type=3&theater

The Johnsonville Shopping Centre has been recognized as an important retail facility, catering to both the Johnsonville suburb itself, as well as nearby suburbs (Maclean 2007). The current owners of the Mall have been granted a non-notified consent to redevelop the Mall, though this redevelopment is smaller than that originally promised 9 years ago (Devlin 2016).

Ongoing frustrations

The decline of both malls has resulted in substantial frustration and anger from the community documented widely in the media. Both local councils with jurisdiction in the suburbs in which the malls sit have been involved and in conversations with the media have expressed the need to find solutions that result in redevelopment for these facilities (Forbes 2016,). However, they also mention the difficulties in being able to do this due to their being in private ownership (White et al. 2017).

High levels of scepticism remain within these communities regarding whether the developments will occur due to years of broken promises by both mall owners. There is also widespread concern regarding the community's ability to engage in decision-making to ensure that these developments meet the needs of those living within these areas.

Methodology

This research sought to understand the role that suburban shopping malls in New Zealand can play as community spaces and thus provide opportunities for health, improved wellbeing and ultimately human flourishing. In addition, it examines the extent to which communities are able to shape decisions regarding these spaces given they are held in private ownership. More specifically, four research questions formed the basis of this study. (1) What role can shopping malls play as community spaces and what are the elements within them which facilitate this role? (2) What are the impacts on the community when the local mall declines? (3) To what extent are community members able to influence decision-making regarding this space? (4) What strategies might be employed to enable stronger community engagement in design decision-making processes?

Overall, 37 participants contributed to this research, 12 through key informant interviews while the remaining 25 engaged in focus groups which were used to canvas the broader community. A range of perspectives was sought including those from council members, community leaders, retailers, wider community members and also the mall owners. Unfortunately, the two mall owners declined to be involved in this research.

Interviewees were initially selected based on their media visibility having already had some engagement with one of the declining mall case studies. Thereafter, using snowball sampling from these initial interviewees, it was possible to engage other key community actors who were not as visible to an outside researcher. Interviews were all conducted face to face, lasted between 30 and 90 minutes, were digitally recorded and later transcribed ad verbum.

Focus groups were then used to canvas broader community member perspectives. In total 25 community members participated in these focus groups, two of which were held in Johnsonville and one in Wainuiomata.

Focus group participants were engaged through advertising on an active community Facebook page and through community leaders in both suburbs. The data sets from the interviews and focus groups were jointly analysed. A thematic analysis was undertaken where themes were created inductively (Braun and Clarke 2006).

Findings

Malls as third places

In both Johnsonville and Wainuiomata, the local mall played an important community function acting as a vital third place, a function that extended well beyond that of a retail site. In Wainuiomata participants talked of the mall in its heyday as being a community hub; a place for all where the community regularly met and engaged with one another (Figure 4). 'I still remember what a great community resource the mall was, how it brought families together … it was really good in creating a real community spirit' (Participant B).

Focus group participants identified the mall as the primary space within Wainuiomata for community events. Due to the mall's popularity and the close-knit community, the mall provided a safe place for youth to gather and socialize.

In contrast to the findings from the Wainuiomata case study, participants within Johnsonville had less uniform ideas about the role of the mall as a community space.

Figure 4. Map of Johnsonville retail area demonstrating the scale of the Johnsonville mall as highlighted in blue (Apple Maps, 2018).

Some spoke of sociability and events at the mall, though for most, the community function centred around the mall's provision of facilities such as cafes and restaurants and the recreation opportunities these provided. The vast majority of participants though acknowledged that the mall's community role exceeded that of a retail site, explaining that 'it is not just a mall, it is a communal place, a community place' (Participant D) (Figure 5). Others referred to the Johnsonville Shopping Centre as being 'a vital' and 'integral' part of the community 'the hub, it's the heart, it's the soul' (Participant F).

Participants in both locations attributed the social importance of the local mall to a lack of alternative community space, coupled with the malls' central location and size. These findings parallel the work of Parlette and Cowen (2011), who claimed that often in suburbs, the local mall provided the closest thing to a community facility. The link between insufficient community space and the social importance of malls has also been identified more broadly, particularly in Hong Kong where shopping malls have become key sites for socialization due to a lack of public space (Nowek 2016).

For Wainuiomata residents the mall's decline has meant that it no longer functions as the community hub and with no alternative space for these casual interactions and socialization to occur, community cohesion has suffered. When the mall began to decline, less people shopped locally due to a limited retail provision which in turn discouraged retail even further. This led to the reduction of ad-hoc social interactions and general lingering. Likewise, the events which were previously held in the mall no longer took place due to its dwindling patronage.

Participants from Wainuiomata spoke of the lack of alternative community spaces to come together; instead, these interactions were now said to take place in the private sphere and had to be planned. They also spoke of using social media as a replacement

Figure 5. Johnsonville Mall in its heyday – Inside Johnsonville Mall, Wellington. Dominion post (Newspaper): Photographic negatives and prints of the Evening Post and Dominion newspapers. Ref: EP-Municipal-Towns, Wellington and suburbs, Johnsonville and Ohariu-01. Alexander Turnbull Library, Wellington, New Zealand./records/22639380.

for the physical social space that the mall had previously provided. Subsequently, focus group participants felt that they saw each other less around the community and this impacted on the sense of community spirit and wellbeing within Wainuiomata. Pattison (2015) notes the link between declining local shops and limited opportunities for incidental and casual social interactions. This shift in the nature of community interactions is significant given the impact for social capital creation and wellbeing (Lochner, Kawachi, and Kennedy 1999).

In the case of Johnsonville, the mall fails to meet many of the community needs and participants spoke of spending the majority of their time outside of the suburb.

They expressed their frustration that they had to leave their community to fulfil their needs and how this lack of engagement with the community had hindered an ability to feel as though they belong to it.

> I don't feel like a part of the Johnsonville community. Maybe it's because I wasn't born and raised here, I don't go here for coffee, I don't eat here … I try to avoid doing my supermarket shopping … at the moment I don't feel like part of the community (Participant 3).

Kim and Kaplan's (2004) study found similarly that when participants lives are compatible with what is on offer within the community and the 'environment facilitates people's everyday lifestyle' there is a greater sense of attachment, satisfaction and pride in that community (Kim and Kaplan 2004, 316). This would suggest then that malls offered opportunities for much more than retail, rather there is potential for these spaces to be sites of social interaction, belonging and healthy and flourishing communities.

Shopping malls and community pride

Participants in both locations also spoke of the mall influencing how they felt about their community. In Wainuiomata participants spoke of their surprise at being 'given' a 'flash mall' when they were a suburb full of 'young and big families'. The mall previously played a large role in the pride they felt for their community and there was a focus on supporting local retailers. However, as a result of the mall's decline, it was no longer a source of pride, but instead, embarrassment and any loyalty to shopping locally were now gone.

Johnsonville participants largely did not speak of prior pride in the mall, but of their hopes for future pride in this space. Participants felt that the mall represented the geographical town centre. There was a desire for the mall to reflect the suburb's identity in terms of both the aesthetics and amenity. The poor quality of the mall and its facilities impacted on how they felt about their wider community, how they engaged in it and the general Johnsonville community spirit. Given the ongoing lack of progress on redevelopment, this had led to negativity within the community.

Participants from both case studies spoke of how the declining mall also influenced how outsiders viewed their suburb. One Wainuiomata participant stated that 'people see us as a joke because we have a big empty mall' (Participant GWF 7). Another participant, affiliated with the local council, spoke of the impact of negative perceptions on future development opportunities for the suburb of Wainuiomata. The link between neighbourhood characteristics, pride and broader community identity has been explored by Nowell et al. (2006). Their research found that physical characteristics within a community 'communicated messages about the value and character of the community

and its residents' (Nowell et al. 2006, 29) to both the community themselves and also outsiders. Participants in their study spoke of the shame that community members felt being associated with run-down elements of a depressed neighbourhood, and conversely how physical features within the community could provide pride and a sense of belonging.

Disproportionate impact of declining malls on low income and older people

Shopping malls play a variety of roles and the decline of these malls had differing and disproportionate impacts for certain sectors of the population. This finding was particularly salient for older residents, especially in Johnsonville. Older focus group participants spoke of the socialization role that the mall could provide, of using it to counter loneliness or to provide an excuse for an excursion from the house. One participant highlighted the importance of locally accessible shops, particularly for older people who have limited mobility. These findings mimic those of Travis, Duncan, and McAuley (1996) and Pattison (2015) among others.

Declining malls also have a disproportionate impact on lower socioeconomic communities where the costs of accessing basic needs from outside of their community can be prohibitive. The lack of retail which provides essential goods and services within walking distance of suburban homes creates inequities for those who do not have easy access to private vehicles, community connections or good quality public transport options.

Communities lack influence in design decision-making

When participants were asked about their ability to influence decision-making the lack of communication and broader disengagement between the mall owners and the community was a strong theme evident in both case studies. Johnsonville participants spoke of the few instances that the mall owners, Stride, had made contact with the community. The extent of this communication was in the form of a 'newspaper advertisement and being quoted in the paper occasionally'. Despite requests by the local council and community leaders to engage more with the residents, they refused to attend a 250 strong community meeting organized to discuss the state of the mall. This broader lack of engagement has been attributed to an atmosphere of animosity and distrust between the community and the mall owners, where the owners were perceived not to care for the community. One participant explained 'it's just creating a massive divide and the more they don't talk to us [the community], the more there is a massive divide' (Participant F).

Wainuiomata residents were similarly disappointed with the lack of community engagement. As with Johnsonville, the mall owners failed to sufficiently engage with the community, even visit Wainuiomata or respond to local councillors attempting to find a solution to the decline of the mall. Focus group participants noted one prior instance of consultation however they spoke of their frustration at not hearing anything further until they saw in the newspaper that the mall had been sold. Some also spoke of their distrust of the new owners due to the previous substandard operation of the supermarket chain within their community.

Both communities wanted the owners to be more communicative and to be recognized as key stakeholders in the mall's development, who could not only support the mall but also be impacted by its decline. One participant from Johnsonville opined, 'just to be asked in the first place, that we are seen to be valued enough to be asked' (Participant 2). The inability of the Council to have meaningful influence with respect to improving engagement and communication in both locations highlights the tensions of privatising public and community space.

The majority of participants spoke of frustration and feeling defeated by their inability to influence decisions related to the mall. One Wainuiomata resident lamented, 'it's like our community facility. Now we don't have any say in it' (Participant B). Participants spoke of their desire for mall owners to invest time in the community to ensure the development is not something forced on the community but that the likelihood of this was slim. As highlighted by Parlette and Cowen (2011) because shopping malls are in private ownership the community's informal, yet significant claim to this space often failed to get traction in terms of decision-making power.

Johnsonville focus group participants spoke of the possibility of incentivising their involvement in decision-making regarding the nature of future redevelopment in order to ensure it would meet the needs and desires of the community. Their efforts in the focus group to brainstorm ways to make their involvement attractive to Stride stemmed from an awareness that the mall owners were not obligated to consult with the community.

Local government interviewees also felt unable to influence decision-making within these private spaces. One participant explained, 'with it being in private ownership, Council has had no control over any of it, no control over timing, no control really over what it is and what should be put in there' (Participant C). A similar sentiment was evident in the Wainuiomata interviews with Council affiliated participants. The fact that a key central suburban space was privately owned was a source of angst for these interviewees leading to a conversation regarding the Council buying the mall (Participants A, C). This discussion took place due to the severe impact the mall's decline was having on the community. However, it was decided that 'owning malls is not core business of council' (Participant C).

The only mechanism available to local government, according to the participants, was existing regulatory frameworks which could influence aspects of development. These included District planning rules, Resource and Building Consent processes. However, local government participants acknowledged that these mechanisms had limited influence. A number of incentives had been initiated by both Councils to try to encourage redevelopment of these spaces. Hutt City Council (with jurisdiction for Wainuiomata mall) introduced a rates remission and new development policy, while Wellington City Council (with jurisdiction for Johnsonville mall) sought to improve the suburb's infrastructure to aid in the mall's redevelopment (Participant E). However, despite the significant council investment made in Johnsonville for the mall's redevelopment, the owners were not legally obligated to realize the development.

> "So council has gone ahead to make Johnsonville in a fit state to accept a mall, in good faith really and, now it wouldn't be unreasonable to expect the mall to go ahead with their side of the moral bargain at least" (Participant E).

Amongst Johnsonville participants, in particular, there was a strong sense that the Council had not adequately supported the community with respect to encouraging the redevelopment of the mall. Despite the fact that Council affiliated staff felt that they had limited ability to influence the situation, this was at odds with the Council's role as stipulated in the Local Government Act 2002. This centres on advocating for and representing communities through encouraging participatory decision-making and conducting democratic processes on behalf of the community (Department of Internal Affairs 2011a). These two case studies highlight the privilege given to individual property rights over broader collective concerns in legislative and regulatory systems in the west. In both of these case studies, the Council seems to have felt hamstrung to be able to fulfil these roles. Both local and central government in New Zealand do have the power to acquire land for public infrastructure and services under the Public Works Act 1981 (New Zealand Land Legislation, 2019) but this provision is generally used contemporaneously to acquire land for infrastructure such as roading, airports and network infrastructure.

Rebalancing public and private interests

Community participants were clear that local government should be given more power to effect good community engagement processes even when it is privately owned. Unfortunately, these case studies are not unique and communities are often left out of decisions which impact them as long as corporate decisions fit within local regulatory frameworks (Berry 2003).

Research participants highlighted two possible responses to the concerns raised above. Broadly, the first involved shifting ownership and thus power over these spaces into public hands, re-attaching these spaces to the democratic process in order for the public to be able to have influence.

The second involved a re-balancing of private property rights vs collective rights using regulatory mechanisms to ensure ongoing community engagement in design decision-making. Specifically, potential solutions which sought to rebalance these power dynamics affording communities with some ability to influence design decision-making included changes in legislation and/or regulatory tools to provide for greater local government and community influence. These changes would include mechanisms to ensure that owners are obligated to engage with and take into account the views of those most affected by their decisions.

There did not seem to be an issue with private ownership of the property itself, but instead, there was a desire for limitations on these private property rights in relation to their important community spaces.

Discussion

Private property rights and local government obligations as institutions situated within the democratic process come to a head when key community spaces are transferred into the private realm. As it currently stands, communities are disempowered to affect design decisions within their community spaces and private property rights win out over all others. Clear binaries exist which pit public against private, with private ownership sitting at the top of an ideological hierarchy of space management in our towns and

cities. However, this paper argues that it is not necessarily problematic that important 'public' and community spaces sit in private hands as long as there are ongoing mechanisms in place to ensure that the local community continues to have a say in design decisions. In fact,

Williamson (2013) argues that the lines between public and private space are increasingly blurred, where the focus of suburban development is beginning to enhance and affirm citizens democratic demands for space which functions as public independent of its ownership status.

As noted above, some of the participants sought to incentivise the community's involvement in decision-making yet Lefebvre asserts that they should not have to. He suggests that in order to achieve true democracy, communities should have a seat at the corporate decision-making table irrespective of private property rights. Democracy should not be confined to state decisions, but instead that it should 'apply to all decisions that contribute to the production of urban space' (Purcell 2002, 102). Improved participation in community decision-making has been attributed to a stronger sense of community belonging (Michels and De Graaf 2010) and community pride (Morrison 2016) and a key attribute of a successful town or city recognized within the New Zealand Urban Design Protocol (Ministry for the Environment 2005, 1).

As illuminated in this research, the nature of space provision within one's community either fosters or hinders opportunities for self-determination and participation in decision-making. While processes for council consultation are set out in the Local Government Act 2002, these only relate to decision-making around the land in public ownership (Department of Internal Affairs 2011b) and fail to provide any framework for decisions relating to privately owned spaces in key community nodes such as suburban town centres. Soja (2010) goes as far to say an inability to participate in decisions relating to community space, contributes to geography of injustice as a result of urban planning and private property rights.

Given health and human flourishing in part rests in a sense of belonging and the ability to build and maintain social capital we need to rethink how we deal with important community spaces in suburban settings. This is important for creating an urban form that offers opportunities for healthy and vibrant communities. In addition, community engagement provides processes which themselves enable people to build social capital. Ultimately, community and collective self-determination must be incorporated into the ways in which urban development is actioned in our suburbs.

Limiting private property rights is not a novel act. As human rights and more specifically the right to the city have come under greater threat due to the increasing power of property rights, citizens have sought to reestablish their rights in a number of ways. A series of court cases in the USA has sought to challenge these inalienable property rights by examining 'spatiality and functionality over property and title' (Maniscalco 2015, 190). This resulted in limitations to private property rights acknowledging shopping malls as important democratic spaces and ensuring opportunities for civic engagement within them (Kohn 2004, 134). Nevertheless, these court cases have been understood as 'outliers', where future court rulings have reverted to protecting private property rights irrespective of community rights (Maniscalco 2015). Kohn (2004) and Maniscalco (2015) argue that society has changed immensely since laws relating to private spaces were created and they need to be changed to meet the needs and

changing urban forms. These court cases demonstrate that it is possible to restrict private property rights and increase community rights on privately owned land.

Conclusion

If we chose to instead deal with spaces by values rather than ownership, urban development may change radically. By raising an awareness of the roles that suburban shopping malls can play as community space, this research has made visible a form of community space within New Zealand, which normally would not be recognized as such. It makes visible community claims to space and challenges the existing framework of property rights and subsequent wider community exclusion from decision-making.

In support of vital, just and flourishing communities, the paper argues that the way in which space is used, as opposed to the status of a space's legal ownership structure should be the underpinning principle of suburban mall development and maintenance policy and practice. This reconceptualization recognizes community members as important stakeholders setting the scene for their involvement in design decision-making. Wainuiomata and Johnsonville malls are important sites of community cohesion, community identity and pride formation and hence the decision-making mechanisms around these spaces should reflect this broader remit. Reframing decision-making processes in order to give communities an 'as of right' direct voice in any decision that relates to their urban space (Purcell 2002) whether it is in private ownership or not, empowers communities in radical ways.

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