

# Insights for successfully using innovative land strategies to plan and design the Dutch urban space

Master's Thesis for the Spatial Planning (Planologie) programme  
Nijmegen School of Management  
Radboud University



**Madalina DORU**  
**September, 2018**



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## Summary

Since 2008, a shift from a public-led approach towards owners-led and (more) private-led development can be seen in The Netherlands. Practice shows a large number of experiments which try developing in a 'new' way, in the Netherlands, two innovative development strategies that make their way being organic area development and urban land readjustment. Whilst these two innovative land strategies grant the possibility to private parties to steer the area development and to shape the urban space, the public parties' role is that of a facilitator and/or strategy/vision developer for the new area development.

However, private-led area developments where organic area development and ULR are proposed as land strategies imply that multiple stakeholders are involved. This results into the collective action problem to arise which can be dealt by using Ostrom's design principles for CPR management and can be tackled if other requirements are fulfilled.

This study looks into three Dutch experiments with innovative land strategies, aiming to answer the question: To what extent the collective action problem can be dealt with in new urban areas developed through innovative land strategies that imply a collaborative process?

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# 1

## Introduction to the research

Since 2008, a shift from a public-led approach towards owners-led and (more) private-led development can be seen in The Netherlands. Practice shows a large number of experiments which try developing in a 'new' way, being possible that a shift in the planning culture happens when they become mainstream and they institutionalize. In the Netherlands, two innovative development strategies that make their way are: organic area development and urban land readjustment.

Organic development has been defined as an innovative development strategy in Dutch planning practice where future inhabitants and users of a development area become the primary responsible parties in the development process.

Urban land readjustment represents the re-parceling of land by swapping land positions between the landowners, without any transactions taking place, while part of the land will be used for public services and infrastructure.

## 1a. Research problem statement

Dutch spatial planning: the shift from public-led development towards owners-led and private-led development

Planning practice in the Netherlands largely relies on public land development, Dutch local government playing an active role in acquiring (agricultural) land, servicing it, and supplying it to home builders and other interested parties, often the land being sold with additional conditions that provide local authorities with complementary tools to the public land-use plan and help them realize their strong steering ambitions, municipalities being in this way able to guarantee developments according to public policies<sup>1</sup>. Although this means a relatively high financial risk for municipalities, this policy has allowed municipalities to make profits via selling building plots and capturing a part of the surplus value of the land after a change in use.

The 'EU Compendium on spatial planning systems and policies' was released in 1997 attempting to compare planning systems and cultures of many different countries (in Europe), the document making a distinction between four different planning cultures in Europe: the 'comprehensive integrated', the 'regional economic', 'land-use management' and 'urbanism', the Netherlands (along Germany, Denmark, Finland, Austria and Sweden) being considered a member of the 'comprehensive integrated' approach with spatial planning being conducted in a very systematic way with a formal hierarchy of plans and large public investments in the implementation of those plans<sup>2</sup>.

The Dutch 'comprehensive integrated' approach started to develop in the late nineteenth century when urban development became much more subject to collective action than before when it was more haphazard and with negative externalities such as poor hygiene and slums<sup>3</sup>. At the beginning of the twentieth century, there were quite a few private plans for large areas (such as in Rotterdam), which were often formulated by affluent citizens and noblemen with a strong sense

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<sup>1</sup> Krabben et al, 2011, p. 269; Needham, 2007, p. 181; Buitelaar et al, 2014, p. 254;

<sup>2</sup> CEC, 1997; Buitelaar, E. & Bregman, A., 2016, p. 1285;

<sup>3</sup> Buitelaar, E. & Bregman, A., 2016, p. 1283;

of solidarity<sup>4</sup>. After the Second World War there was a housing shortage in the Netherlands that resulted from the destructions and halted building<sup>5</sup>, which is one of the reasons for planning becoming a public affair, along with a growing sense of government responsibility for the living conditions of citizens, in 1941 a national government agency for planning on a national scale being established (the Rijksdienst voor het Nationale Plan)<sup>6</sup>. The active municipal land policy was advocated early in the process of the institutionalization of the Dutch planning and development culture: 'A forward-looking land policy, which allows for acquiring building land in time and at the right time, is pivotal for good urban extension'<sup>7</sup>.

The Dutch system of spatial planning has a very positive reputation in the international planning literature, Faludi and van der Valk<sup>8</sup> opening their book with the sentence: "This book is about an art in which the Netherlands excels: strategic planning. Foreign observers will need little convincing of the merits of Dutch planning."

However successfully applied in the great majority of spatial developments in Netherlands for decades, the 'traditional' Dutch land development model has become less and less the norm since the outbreak of the global financial crisis in 2008 and the subsequent decline of property and housing markets. The comprehensive and integrated nature of urban development has created a tightly coupled system<sup>9</sup>, that is susceptible to external developments, particularly shocks (such as crises), since hitting one part of the system (the development), causes other parts to be hit as well, because, since all parts are interconnected, hitting one part causes other parts to be hit as well<sup>10</sup>. Not only that by owning land, the municipalities would bear alone all the risks, but also this was not feasible anymore as land budgets had to be covered by other financial sources, such as local taxes and the annual central government fees, or by cutting expenses on public services and goods such as pools, libraries, maintenance of public spaces, etc.<sup>11</sup>, area developments (especially large scale ones) being vulnerable to property market fluctuations, and integration of both organization and financial streams being harder to achieve: the former encountered difficulties because PPP agreements have become difficult; in some cases (such as Waalsprong, Nijmegen, Schuytgraaf, Arnhem and Meerland, Groningen), because of financial problems, the

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<sup>4</sup> De Klerk, 1998 cited in Buitelaar et al, 2014, p. 254;

<sup>5</sup> Buitelaar, 2010, cited in Buitelaar, E. & Bregman, A., 2016, p. 1284;

<sup>6</sup> Buitelaar et al, 2014, p. 254;

<sup>7</sup> Nederlandsch Instituut voor Volkshuisvesting en Stedebouw, 1930, p. 130, cited and translated in Buitelaar, E. & Bregman, A., 2016, p. 1284;

<sup>8</sup> 1994, p. xiii cited in Hajer & Zonneveld, 2000, 337;

<sup>9</sup> Weick, 1976; Buitelaar et al., 2012 cited in Buitelaar et al, 2014, p. 255;

<sup>10</sup> Buitelaar et al, 2014, p. 255;

<sup>11</sup> Deloitte, 2013 cited in Buitelaar, E. & Bregman, A., 2016, p. 1289;

participating public authorities took over the private party's share and bear all risks and costs of the PPP; cutting in numbers the commercial property (retail and offices) and owner-occupied housing, because of the property market and housing market crisis, brought difficulties to the integration of financial streams and thus to achieving the success of the development plans, which eventually collapsed, as public goods could not be financed anymore<sup>12</sup>.

The demand for new building plots in the Netherlands was reduced or is uncertain, this also contributing to the decline of the Dutch public-led development: for example, there is a structural decrease in demand for physical office and retail space because of e-commerce, demographic decline (in some regions) and different and new ways of working, information and communication technology allowing people to work at home or elsewhere and at any time<sup>13</sup>. On the other hand, there has been a shift in planning strategies from a focus on greenfield developments to a focus on urban transformation, which brings an even greater risk for municipalities because of the high costs they must pay for acquiring land and properties and the high duration of the project, moreover, the bargaining position of the municipalities being weak, because all properties *must* be acquired in order to transform the area and expropriation being hard to use<sup>14</sup>.

Since 2008, a shift from a public-led approach towards owners-led and (more) private-led development can be seen in The Netherlands. Practice shows a large number of experiments which try developing in a 'new' way, with the possibility that a shift in planning culture happens when they become mainstream and they institutionalize<sup>15</sup>. In the Netherlands, two innovative development strategies that make their way are: organic area development and urban land readjustment.

### Organic development strategies

Organic development has been defined as an innovative development strategy in Dutch planning practice, where future inhabitants and users of a development area become the primary responsible parties in the development process<sup>16</sup>. This planning approach is more process-oriented and includes a stronger role for private parties, small entrepreneurs and individuals, who enter the development processes as (groups of) households and social organizations at the expense of municipalities

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<sup>12</sup> Buitelaar, E. & Bregman, A., 2016, pp. 1289 – 1290;

<sup>13</sup> Buitelaar, E. & Bregman, A., 2016, pp. 1290;

<sup>14</sup> Van der Krabben et al, 2011, p. 276;

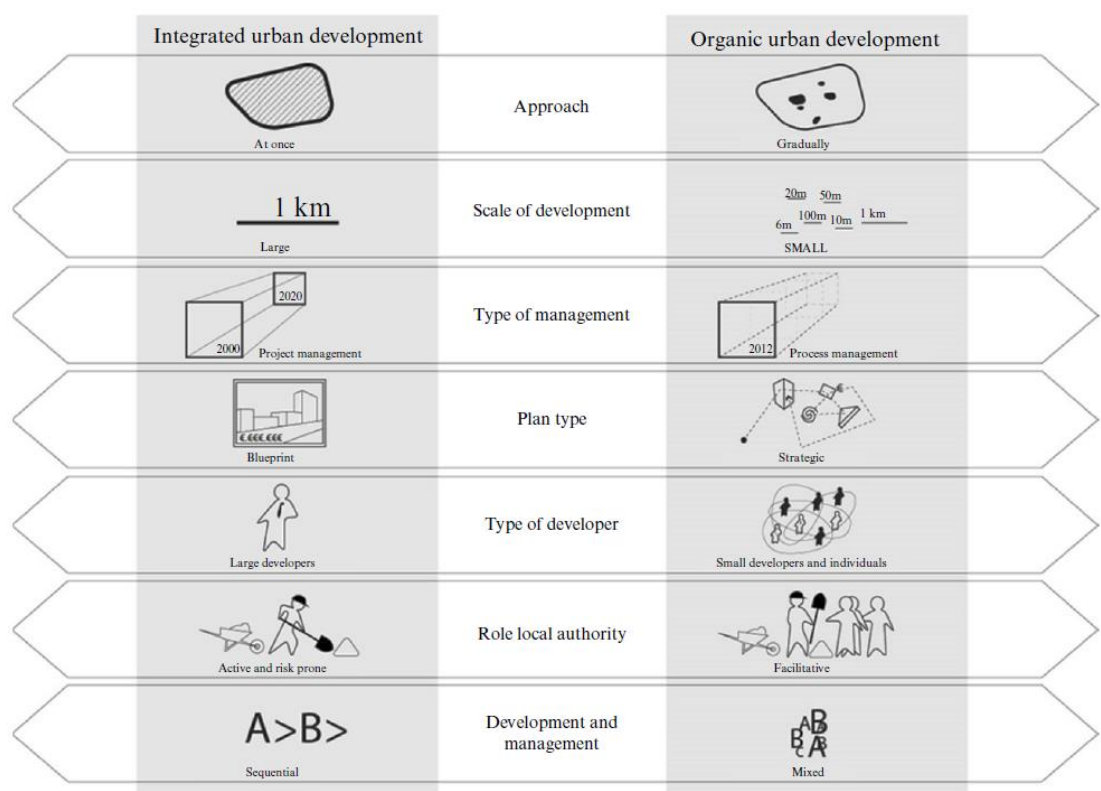
<sup>15</sup> Buitelaar, E. & Bregman, A., 2016, p. 1282;

<sup>16</sup> PBL and Urhahn Urban Design, 2012 cited in Rauws, 2016, p. 351;

and large developer firms. Scholars believe that this will result in Dutch planning moving from an extreme position to one that is closer to the middle<sup>17</sup>.

One advantage of organic urban development is that it adheres more to the ideal of a loosely coupled system, thus being more functional in responding to uncertain and changing demands and more flexible and capable of dealing with uncertain and changing circumstances (such as population decline or future regional differences which are likely to increase)<sup>18</sup>.

Buitelaar, E. & Bregman, A.<sup>19</sup> go to say that, as previously, before the integrated comprehensive approach, planning was carried on by private parties, if the organic development becomes the norm, the integrated comprehensive approach “would then turn out to be a modernist anomaly, a decades-long interruption of a centuries-long path of incremental organic development”.



**Figure 1: Integrated versus organic urban development**  
Source: Buitelaar et al. (2012) cited in Buitelaar et al. (2014, p. 256).

Being situated on the opposite side of the spectrum, organic urban development follows a gradual approach, has a small scale of development, is focusing on managing the process, it follows a strategic plan, small developers and individuals are invited to design, the local authority has a facilitative role, and the development and management is mixed as opposed to being sequential as in the integrated urban development approach.

<sup>17</sup> Buitelaar, E. & Bregman, A., 2016, p. 1282; De Klerk, 2008, Deloitte, 2013, Needham, 1997, Platform31, 2012, Urhahn Urban Design, 2010, van der Wouden, 2015 cited in Buitelaar, E. & Bregman, A., 2016, p. 1282;

<sup>18</sup> Buitelaar et al, 2014, p. 255;

<sup>19</sup> 2016, p. 1291;

Practice shows that many hybrid forms exist<sup>20</sup>.

### Urban land readjustment

Many 'mature' European cities increasingly focus in their policies on urban transformation projects - often as part of broader urban regeneration policies - but face a common set of challenges with regard to the implementation of these projects. Urban transformation projects may concern the transformation of brownfield sites, the redevelopment of inner-city shopping areas, waterfront and dockland redevelopment projects and the renovation of post-war social housing blocks. Some of the most significant obstacles to the implementation of such projects relate to the economic downturn and reduced market demand, but various studies have also revealed more fundamental / structural obstacles, such as (institutional) barriers to the assembly of land and properties, shortcomings in existing value capturing mechanisms to cover public infrastructure costs, suboptimal public private cooperation and increased complexity of the projects themselves<sup>21</sup>. Typical for this kind of complex land and property development projects is the wide range of stakeholders involved – such as landowners, municipalities, investors, property developers, construction companies, infrastructure providers and housing corporations – that must try to reach an agreement on planning, development and financial issues, although they often have partly contradictory interests, which may prevent them from reaching an agreement<sup>22</sup>.

Partly as a response to this changing context, many European cities are now embarking on a variety of innovative experiments with respect to governance arrangements and financial packages for urban transformation<sup>23</sup>, particular interest going to urban land readjustment schemes.

Following planning practice in countries like France, Germany and Israel, it has been suggested that urban land readjustment could be introduced as a new tool in the Netherlands for urban redevelopment projects<sup>24</sup>, this possibility being also the subject of a study commissioned by the Dutch Ministry of Spatial Planning<sup>25</sup>. The basic idea behind ULR is that a reparcelling of land takes place by swapping land positions between the landowners, without any transactions taking place, while part of the land will be used for public services and infrastructure<sup>26</sup>. In ULR all individual land and property owners in an urban land readjustment project equally share the development gain (and the risks) of the (re)development of the area<sup>27</sup>.

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<sup>20</sup> Buitelaar, E. & Bregman, A., 2016, p. 1291;

<sup>21</sup> Adams et al., 2002; Nordahl, 2006; Buitelaar et al., 2007;

<sup>22</sup> Samsura et al., 2010;

<sup>23</sup> Lord, 2009; Van der Krabben and Needham, 2008; Munoz-Gielen, 2012; Ramsjord and Rosnes, 2013; Nordahl, 2013.

<sup>24</sup> Van der Krabben and Needham, 2008; Van der Krabben et al, 2011, p. 276;

<sup>25</sup> De Wolff, 2002; 2004;

<sup>26</sup> Van der Krabben, E. and Lenferink, S., n.d., p. 6;

<sup>27</sup> Van der Krabben, E. and Lenferink, S., n.d., p. 6;

Land readjustment has a long history in the Netherlands, being used to reassemble agricultural land and having regulation to do this<sup>28</sup>, but lacking similar regulation for urban areas, partly because municipalities were pursuing an active land policy<sup>29</sup>. In the current Dutch legal context, this instrument is only available on a voluntary basis, meaning that landowners who do not wish to collaborate in achieving the scheme, can not be forced to do so<sup>30</sup>. However, the new Land Law, expected to be released in 2018, has ULR regulation as part of it, containing regulation for a voluntary ULR track, which implies that, in a situation that one or more landowners refuse to participate in an ULR scheme, instead of a compulsory ULR track, municipalities can choose to make use of expropriation<sup>31</sup>.

ULR is expected to support cooperation between several private land and property owners in a specific area without much interference of the public sector, being possible that the proposed ULR regulation is used in urban areas and believed to be useful for transformation projects:

- that are characterized by fragmented land ownership that constrains private sector initiative;
- that require an integrated development approach, with a proposed grid that is different from the current situation and based on a re-parcelling of the land;
- that brings together several land and property owners who are interested to participate in the urban transformation, but cannot operate on their own (because a re-parcelling of the land is requested);
- where neither a public agency nor a private developer, nor a public-private partnership is willing to take the risk of acquiring all properties in the transformation area and take the initiative for redevelopment by itself<sup>32</sup>.

One of the main benefits of using urban land readjustment is an accelerated development process, compared to otherwise costly and lengthy procurement procedures, where there is also a risk that private-private cooperation is not achieved<sup>33</sup>.

### The collective action problem

The involvement of citizens in urban decision-making and planning processes has already widely turned into common practice, an increased legitimacy, quality,

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<sup>28</sup> Needham, 2007; Muñoz Gielen, 2016;

<sup>29</sup> Van der Krabben, E. and Lenferink, S., n.d., p. 7;

<sup>30</sup> Jansen, F., 2016, p. 18;

<sup>31</sup> Van der Krabben, E. and Lenferink, S., n.d., pp. 7-8;

<sup>32</sup> Van der Krabben & Heurkens, 2014; Van der Krabben, E. and Lenferink, S., n.d., p. 8;

<sup>33</sup> Jansen, F., 2016, p. 18;



acceptance and efficacy of decisions and fostered empowerment of citizens being only some of the benefits of public participation, and concurrently, another discourse becomes more and more important in urban planning, a growing attention being given to collective action, self-organization, and the management of urban commons<sup>34</sup>. As previous traditional case-based participation procedures were pre-defined by governmental authorities, this new discourse originates from the citizens' point of view, the aim being to effectively design and organize long-term collaboration in urban development between all involved parties including between urban governmental actors and private parties.

Many different private parties taking urban planning and design into their hands to shape the urban space by making use of the two innovative strategies (organic development and ULR) implies the collective action problem: a situation in which multiple individuals would all benefit from a certain action, but has an associated cost making it implausible that any individual can or will undertake and solve it alone.

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<sup>34</sup> Schauppenlehner-Kloyber, E. & Penker, M., 2016, p. 2;

## 1b. Research aim and research question

The aim of this paper is to provide insights on how to deal with the collective action problem that arises when a great number of stakeholders are involved in a collaborative process to develop a new urban area. Reaching co-management is seen as to provide successful results, however, getting to co-management is “a long voyage on a bumpy road” and it “emerges out of extensive deliberation and negotiation, and the actual arrangement itself evolves over time”<sup>35</sup>. Ostrom’s design principles for the management of the commons can be seen as a solution to support the design of long-term co-management institutions and collaboration between the involved actors, however there could be other mechanism to deal with the collective action problem which may or may not be translated into other area developments.

The thesis should be seen first as a quest to create a better understanding of what does the real estate development process of new urban areas implies when using innovative land strategies and to what extent can Ostrom’s principles or other mechanism can be used to deal with the collective action problem which develops because they represent collaborations with multiple stakeholders involved.

New innovative land strategies applied within various contexts are investigated using multiple sources of evidence such as interviews and written materials to help finding answers to the research question:

*To what extent the collective action problem can be dealt with in new urban areas developed through innovative land strategies that imply a collaborative process?*

To help answering the research question, several sub-questions have been developed:

1. What does the real estate development process of new urban areas implies when using innovative land strategies? (answered through literature review and theoretical framework for a general view and through the presentation and analysis of the case-studies to get a good understanding of the Dutch context)
2. To what extent are Ostrom’s design principles used to deal with the collective action problem in new urban areas developed using organic strategies or ULR? (answered through the presentation, analysis and comparison of the case-studies)

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<sup>35</sup> Berkes, F. & Ross, H., 2013;

3. What other mechanisms are used to deal with the collective action problem in new urban areas developed using organic strategies or ULR? (answered through the presentation, analysis and comparison of the case-studies)

## 1 c.

# Scientific and societal relevance of the proposed research

Faced with the problem that, in the future, public sector involvement will shrink in urban developments, knowledge is added to innovative development strategies and tools that will help future private parties (property owners, residents, retailers, companies and small developers) taking charge of urban development for themselves. Moreover, public authorities could learn from it to further guide and/or generate conditions which support owners-led and private-led development of land and co-management.

Studies show that an increasing number of people are living in mass-produced housing constructed by either big commercial developers or public authorities rather than customer-designed housing units, for which, too often, their providers do not account for the culture, socio-economic status and lifestyle of the future residents and/or users<sup>36</sup>. This research provides insights into the process and the system of using these alternative land strategies, which could be extracted to be implemented to other initiatives to increase the participation of the stakeholders and shape better the urban space. The case-studies that are researched in this study use alternative land strategies which offer a lot of freedom in planning and designing the urban space which not only that accounts for the culture, socio-economic status and lifestyle of the future residents and/or users who shape their own space, but it could also lead to a great diversity of the built environment.

This study also contributes to the knowledge on organic development and urban land readjustment in the Dutch context, for which an extensive literature is not provided as the strategies are new and are just being applied to area developments. Moreover, this study is scientifically relevant as it contributes to the discussion about common-pool resources to apply Ostrom's principles not only on CPRs but also for land development in which land development can be seen as a common pool. Ostrom focuses on common goods and here we would like to assess

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<sup>36</sup> Lawrence, R., 2012, p. 230;

the collective action in area developments which will act as common pool resources. Therefore, the possibility is given to generalise from Ostrom.



# 2

Literature review and  
theoretical framework





## 2a.

# Critical review of the academic literature

### Collaborative governance

The shift from 'government to governance' has been presented as a solution for the 'unreasonableness' of direct regulatory interventions<sup>37</sup>, reflecting that the governments are (and should) no longer be the sole decision-making authority and fitting a longer trend of a changing relationship between government, businesses and civil society that includes other trends such as deregulation, privatization and new public management<sup>38</sup>.

Direct regulatory interventions have a fairly straightforward development and implementation process and structure, the actors involved being predominantly governments, governmental departments and governmental agents<sup>39</sup>.

*"Non-excludability of goods refers to situations where it is difficult, if not impossible, to exclude people from using the good. City parks may be considered a typical example of a non-excludable good"* (Van der Heijden, J. 2014, p. 31).

In shaping the urban space, as it is the case in achieving urban sustainability and resilience, a number of market failures stand in the way, the most eminent being non-excludability of goods and negative externalities (market failures). Some of the most common negative externalities are the free-rider behaviour and bounded rationality. The free-rider behaviour is a market failure that happens when one takes advantage of being able to use a common resource or a collective good without any contribution for it. The American political economist Mancur Olson, basing his theory on an instrumental conception of rationality, according to which rational individuals choose to act according to their belief of what will result in outcomes they most prefer, argued that there is little rational incentive for individuals to contribute to the production of a public (or common) good, given the costs they would incur, as they will benefit from the public good whether or not they contribute<sup>40</sup>. Bounded rationality refers to the idea that in making decisions people are limited by their cognitive capacities, the information they have and the limited time they have to make decisions, people being unable to foresee the far-reaching impact of their behaviour, which can result in resistance from the public when public

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<sup>37</sup> Rhodes, R.A.W., 1997; Bardach, E. and Kagan, R.A., 1982; cited in Van der Heijden, J., 2014;

<sup>38</sup> Van der Heijden, J., 2014, p. 61;

<sup>39</sup> Van der Heijden, J., 2014, pp. 31, 61;

<sup>40</sup> Savigny, H., n.d.; Olson, M., 1965;

parties try to implement strict direct regulatory interventions, which seek to counter the effects of such behaviour<sup>41</sup>.

Collaborative governance appears particularly popular in addressing contemporary urban problems, the key to it being the working together of governments, businesses and civil society groups and individuals in governing, however being both lauded and critiqued in the current literature as its ideological foundations - such as giving all relevant stakeholders voice in collaborative governance processes, giving the possibility for meaningful and broad participation of all stakeholders (not only to stronger stakeholders who might manipulate the process) and achieving a meaningful sharing of power between stakeholders, as actors involved in these governance processes have ambiguous roles - are difficult, if not impossible, to realize in real-world settings<sup>42</sup>.

A collaboration between non-governmental actors could result in more suitable and effective governance tools than it could be delivered by distant bureaucrats, two reasons for this being that non-governmental actors have a better knowledge of day-to-day behaviour and that of their peers than governments can obtain and that resources can be allocated to better suit those governed, resulting in a higher willingness of these actors to comply with these tools once in force or a feeling of ownership and responsibility for achieving the goals of these, which they may lack when subject to more traditional approaches to governance<sup>43</sup>.

In collaborative governance, city governments are especially active in taking up non-traditional roles<sup>44</sup>. One way to do this, is city governments acting as initiators or leaders of collaborative governance processes, which is considered to help (potential) participants to find one another, to merge diverse interests and to ensure that a collaborative group will reach relevant and effective solutions through the development of platforms, centres and networks<sup>45</sup>. City governments may further act as an assembler of different collaborative governance processes, seeking to ensure cohesion among different actors and different governance tools<sup>46</sup>. Another role of city governments may be to act as guardian of collaborative governance tools so that the desired outcomes are achieved, governments being well suited to provide enforcement capacity, meant to ensure that participants fulfil their

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<sup>41</sup> Van der Heijden, J., 2014, p. 32; Simon, H.A., 1945, cited in Van der Heijden, J., 2014;

<sup>42</sup> Nejaime, D., 2009, Arnstein, S.A., 1969, Noveck, B., 2011, Ford, C. and Condon, M. 2011, Eversole, R. 2010, Scott, C. 2009 cited in Van der Heijden, J., 2014, pp. 65-66; Van der Heijden, J., 2014, pp. 61, 62, 65, 66;

<sup>43</sup> Van der Heijden, J., 2014, pp. 62, 63;

<sup>44</sup> Van der Heijden, J., 2014, p. 63;

<sup>45</sup> Davis, G., 2002, Sabel, C. et. al., 2000, Steurer, R., 2010, cited in Van der Heijden, J., 2014, p. 63; Van der Heijden, J., 2014, p. 63;

<sup>46</sup> Davis, G., 2002, cited in Van der Heijden, J., 2014, p. 63; Van der Heijden, J., 2014, p. 63;

obligations<sup>47</sup>. What is more, city governments may act as supporters or facilitators of collaborative governance processes, which are initiated by non-governmental actors by providing support through positive incentives, such as financial or organizational support, or through negative incentives, such as the threat of legislation coming into place if not enough participants join collaborative governance processes or if they do not comply with those in which they participate<sup>48</sup>.

The tools of collaborative governance are less contained than the direct regulatory interventions, the most well-known examples of collaborative governance coming in the form of negotiated agreements and covenants, partnerships and networks being another way for private sector actors and governments to collaborate<sup>49</sup>.

Under a negotiated agreement or covenant an individual, a firm or a group of individuals or firms pledge to achieve a particular goal and the government, in return, commits itself to a related objective, the current literature not being univocally positive about the effectiveness and efficiency of negotiated agreements and covenants in achieving societal goals, in particular finding that without credible targets, ongoing monitoring of performance and a credible threat of enforcement, these agreements and covenants being unlikely to achieve desired results<sup>50</sup>.

Partnerships and networks are understood as less coercive forms of governance than negotiated agreements and covenants, bringing together actors to share information, learn from each other and pool resources to test or pilot specific governance tools, the literature identifying the strengths of such partnerships and networks are found in the ability of governments, businesses and civil society groups and individuals to develop solutions for societal problem in collaborative and consensus-oriented processes<sup>51</sup>, moreover, an advantage being represented by the possibility of developing such partnerships and networks in a relatively short timeframe and with a low level of coercion, which can make them attractive to a wide range of prospective participants<sup>52</sup>.

Through collective arrangements in which there is an agreement on the role and division of tasks and the use of resources and which also fits within the legal

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<sup>47</sup> Gunningham, N., 2009, cited in Van der Heijden, J., 2014, p. 64; Van der Heijden, J., 2014, pp. 63-64;

<sup>48</sup> Héritier, A. and Eckert, S., 2008, Héritier, A. and Lehmkuhl, D., 2008 cited in Van der Heijden, J., 2014, p. 64; Van der Heijden, J., 2014, p. 64;

<sup>49</sup> Van der Heijden, J., 2014, pp. 64, 65;

<sup>50</sup> Van der Heijden, J., 2014, p. 64;

<sup>51</sup> Ansell, C. and Gash, A., 2008, Lewis, J.M., 2011, O'Flynn, J. and Wanna, J., 2008 cited in Van der Heijden, J., 2014, p. 65;

<sup>52</sup> Van der Heijden, J., 2014, p. 65;

frameworks will lead to an executable plan that is sufficiently assured of implementation<sup>53</sup>.

#### CPR management: Ostrom's principles for common-pool resources<sup>54</sup>

Garrett Hardin and Elinor Ostrom are two of the central voices in discussing the commons in the last century, most of their work centering on how to avoid overuse of shared resources through governance mechanisms provided by the market, the state or self-organization<sup>55</sup>.

Common pool resources, like forests, oil fields and grazing lands, can be distinguished from private goods, public goods and club goods and are defined as a type of good consisting of a natural or human-made resource system, whose size or characteristics make it costly, but not impossible, to exclude potential beneficiaries from obtaining benefits from its use.

Hardin uses a metaphor to illustrate the common pool resources dilemma: a shared meadow where a large number of people feed their cattle. The meadow represents a scarce resource, constantly threatened by over-grazing. Since each individual is maximizing their own individual benefit, it is only rational for every individual to add one more cow to their herd. Hardin presents two central models as solutions to the commons dilemma: (1) a 'private enterprise system' which, in case of only two herders, would divide the meadow in half and assign half of the meadow to one herder and the other half to the second herder, with the alleged consequence that each herder will be playing *a game against nature* in a smaller terrain, rather than a game against another player in a larger terrain; and (2) socialism: an external government agency to decide the specific herding strategy that the central authority considers best for the situation: who can use the meadow, when they can use it, and how many animals can be grazed<sup>56</sup>.

In her work, Ostrom has demonstrated – countering Hardin (1968)'s „Tragedy of the Commons” argument – that those problems of overuse can be overcome by self-regulating mechanisms within societies, stressing that there is more than the simple dichotomy of state and market, suggesting a third way of governing collective action: historically grown, institutionalized rules which allow for self-governance of the commons<sup>57</sup>. Her work develops a theory of collective action in which “a group of principals can organize themselves voluntarily to retain the residual of their own efforts”<sup>58</sup> suggesting a set of design rules related to the organizational and institutional arrangements through which Hardin's cattle farmers

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<sup>53</sup> Jansen, F., 2016, p. 35;

<sup>54</sup> Ostrom, 1990;

<sup>55</sup> Borch, C. & Kornberger, 2015, p. 1;

<sup>56</sup> Borch, C. & Kornberger, 2015, p. 4; Ostrom, 1990, pp. 9, 12;

<sup>57</sup> Foster, 2011; Parker and Johansson, 2011; Borch, C. & Kornberger, 2015, p. 5;

<sup>58</sup> Ostrom, 1990, p. 25;

could communicate with each other and hence avoid their tragic fate<sup>59</sup>. The design rules proposed by Ostrom structure the social interaction of appropriators of the commons and condition their ability to discuss, decide on and monitor self-imposed constraints: “many groups can effectively manage and sustain common resources if they have suitable conditions, such as appropriate rules, good conflict-resolution mechanisms, and well-defined group boundaries”<sup>60</sup>.

In her pioneering book *Governing the commons – The evolution of institutions for collective action*, Elinor Ostrom tackles whether and how the exploration of common-pool resources can be organized in a way that avoids both excessive consumption and administrative costs, without privatizing or external enforcing, but instead by making use of other solutions and create “stable institutions of self-government”, for this to happen certain problems of supply, credibility and monitoring needing to be solved beforehand. A set of design principles is presented for successful common-pool management schemes that help to account for the success of institutions in sustaining common-pool resources and gaining the compliance of generation after generation of users to the rules applied in a location<sup>61</sup>:

1. Clearly defined boundaries: individuals or households who have rights to withdraw resource units from the CPR must be clearly defined, as must the boundaries of the CPR itself; this principle ensures that users can clearly identify anyone who does not have rights and take action against them and refers to clear social boundaries (who is involved in/excluded from co-management) and geographical boundaries (spatial delimitation of the co-managed resource);
2. Congruence between appropriation and provision rules and local conditions: appropriation rules restricting time, place, technology, and/or quantity of resource units are related to local conditions and to provision rules requiring labour, material, and/or money; this principle involves two parts:
  - a. the distribution of benefits from appropriation rules is roughly proportionate to the costs imposed by provision rules: the crucial aspect is that rules are considered fair and legitimate by the participants themselves, in many settings, fair rules being those that keep a relatively proportionate relationship between the assignment of benefits and of costs – if this criteria is not met, those who contribute time, funds and effort to sustaining the CPR resent the “unfair” allocation of benefits to those carrying a lesser load and the whole distribution system can disintegrate;
  - b. appropriation rules restricting time, place, technology and/or quantity of resource units are related to local conditions;

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<sup>59</sup> Borch, C. & Kornberger, 2015, p. 4;

<sup>60</sup> Hess and Ostrom, 2007a, p. 11; Borch, C. & Kornberger, 2015, p. 4;

<sup>61</sup> Ostrom, 1999, p. 7-8;

thus the second principle refers to a proportional equivalence between benefits and costs, and that the rules concerned conform to local conditions;

3. Collective-choice arrangements: most individuals affected by the operational rules<sup>62</sup> can and should participate in modifying the operational rules, because if they cannot propose changes and they perceive the costs of their system being higher than their benefits, they may begin to cheat whenever they have the opportunity and other may follow, this leading to very high enforcement costs or the failure of the system; the principle highlights the importance for group members to have the right and possibility to co-develop and modify their operational rules, local users being expected to have best information about their situation and thus “a comparative advantage in devising effective rules and strategies, particularly when local conditions change”<sup>63</sup>;
4. Monitoring: there are always conditions that tempt some individuals to cheat, even when they perceive the overall benefits of the system to be higher than the costs, therefore, to prevent and stop that the cheater gains substantially to the disadvantage of others, monitoring of rule conformance is necessary, otherwise the system will not survive; monitors, who actively audit CPR conditions and appropriator behaviour, are accountable to the appropriators or are the appropriators; the principle highlights the relevance of a co-monitoring system for the sustainable management of the common resource, but also for social learning processes that are needed for an adaptive management in contexts of change and uncertainty, monitoring may focusing on the group members’ behaviour, as well as on the condition and quality of the collectively managed resource<sup>64</sup>;
5. Graduated sanctions: appropriators who violate operational rules are likely to be assessed graduated sanctions (depending on the seriousness and context of the offense) by other appropriators, by officials accountable to these appropriators, or by both; in the first instance, the sanction doesn’t need to be extremely high, the important thing being that the action of the ‘cheater’ is noticed and a punishment is meted out, this telling all the users that cheating on rules is noticed and punished without making all rule infractions into major criminal events;
6. Conflict-resolution mechanisms: appropriators and their officials have rapid access to low-cost local arenas to resolve conflicts among appropriators or between appropriators and officials; conflicts over resource use or behaviour of group members seems inevitable wherever individuals act

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<sup>62</sup> operational rules usually comprise procedures for decision-making, voting modalities, or conflict resolution mechanisms (all focusing on intra-group agreements) (Schauppenlehner-Kloyber, E. & Penker, M. 2016, p. 11);

<sup>63</sup> Cox, M. et. al., 2010; Schauppenlehner-Kloyber, E. & Penker, M. 2016, p. 11;

<sup>64</sup> Schauppenlehner-Kloyber, E. & Penker, M. 2016, p. 12;

together<sup>65</sup>, however disagreements need to be resolved in a low-cost and orderly manner; mediators play an important role in conflict-resolution mechanisms, Low<sup>66</sup> believing that the role of experts is changing from only representing abstract technical expertise to becoming real mediators of conflicting interests, being their task to strike a balance between professional expertise and diverging citizens' interests, with a view to facilitating collective designing and management of the commons;

Design Principles 7 and 8 are related to autonomy.

7. Minimal recognition of rights to organize: the rights of appropriators to devise their own institutions are not challenged by external governmental authorities at the national, regional and local level; in this way, the legitimacy of the rules crafted by users will be less frequently challenged in courts, administrative and legislative settings;

*For CPRs that are parts of larger systems (larger resources with many participants):*

8. Nested enterprises: appropriation, provision, monitoring, enforcement, conflict resolution, and governance activities are organized in multiple layers of nested enterprises; nested enterprises (that range in size from small to large) enable participants to solve diverse problems involving different scale economies: in smaller groups, by utilising base institutions, face-to face communication can be used to solve many of the day-to-day problems, however, by nesting each level of organisation in a larger level, externalities between groups can be addressed in larger organisational settings that have a legitimate role to play in relationship to the smaller entities; therefore, with this principle, Ostrom proposes to organize governance activities in multiple layers of nested enterprises, being necessary that there is an "appropriate coordination among relevant groups"<sup>67</sup>, but also "to allow for adaptive governance at multiple levels from local to global"<sup>68</sup>.

Ostrom goes further to say that those who use institutional arrangements characterized by these design principles will be motivated to replicate the institutions over time and sustain the CPR to which they are related, and they also work to enhance the shared understanding of participants of the structure of a resource and its users and of the benefits and costs involved in following a set of agreed-upon rules<sup>69</sup>. She argues that in order to manage successfully the commons, diverse institutional arrangement and organizations are required to ensure equitable treatment of the parties involved<sup>70</sup>.

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<sup>65</sup> Schauppenlehner-Kloyber, E. & Penker, M. 2016, p. 13;

<sup>66</sup> 2015, p.111;

<sup>67</sup> Wilson, D.S. et. al., 2013;

<sup>68</sup> Dietz, T. et. al, 2003;

<sup>69</sup> Ostrom, 1999, p. 7;

<sup>70</sup> Löw, M., 2015, pp. 110-111;

In addition to the design principles that characterise successful, long-term governance arrangements, the size and the heterogeneity of the group are also of great importance. While Marwell and Oliver<sup>71</sup> conclude that when a “good has pure jointness of supply, group size has a positive effect on the probability that it will be provided”, on the other hand, if the conflict levels over a subtractable good and the transaction costs of arriving at acceptable allocation formulae are analysed, group size may exacerbate the problems of self-governing systems, a better working hypothesis being that medium-sized groups may succeed more often than very small or very large groups<sup>72</sup> as, when there are too many actors involved in the process, direct negotiations between the individuals concerned are made impossible, not all parties having the same capacity to articulate their interests<sup>73</sup>.

### Urban commons

Research has been extended to study common-pool resources (CPRs) after the ‘tragedy of the commons’ was first raised by Hardin (1968), which described a situation where open-to-all resources are unable to escape degradation<sup>74</sup>. Scholars believe that CPRs could be overexploited, but it can be prevented or mitigated by proper institutional arrangements<sup>75</sup>. Few of the studies on CPR management concerned man-made resources in urban environments, instead mostly focus on natural resources in rural areas.

Commons is a general term that refers to a resource shared by a group of people<sup>76</sup> and Foster<sup>77</sup> defines the urban common as collectively shared urban resources that “are subject to the same rivalry and free-rider problems that Garrett Hardin wrote about in his Tragedy of the Commons tale”, however, the notion of a CPR commons raises more questions than it answers when transposed to the urban level<sup>78</sup>.

Parts of a city – such as roads and traffic systems – might be conceived of as a subtractive resource, since, for instance, the available space on roads is limited, adding more cars will affect the shared resource in a negative way<sup>79</sup>. However, they also constitute nonsubtractive resources as both commercial and subjective value of particular places (such as parks, or shopping malls) may increase if they are being used and shared and thus the act of consuming does not detract but rather increases value<sup>80</sup>. Thus, the urban commons does not necessarily revolve around the problem of free-riding but rather, usage and consumption practices are a constitutive part of the production of the urban commons: “consuming the city is

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<sup>71</sup> 1993, p. 45 cited in Ostrom, 1999, p.8;

<sup>72</sup> Ostrom, 1999, pp. 8-9;

<sup>73</sup> Löw, M., 2015, p. 111;

<sup>74</sup> Ho & Gao, 2013, p. 10

<sup>75</sup> Dietz, Ostrom, & Stern, 2003 cited in Ho & Gao, 2013, p. 10;

<sup>76</sup> Hess and Ostrom, 2007a, p. 4;

<sup>77</sup> 2011, p. 58;

<sup>78</sup> Borch, C. & Kornberger, 2015, p. 5;

<sup>79</sup> Borch, C. & Kornberger, 2015, p. 6;

<sup>80</sup> Borch, C. & Kornberger, 2015, p. 6;



nothing but the most subtle form of its production”<sup>81</sup>, the urban commons being a product of density. Urban atmosphere is an example of such a commons that is not subject to individual overuse and hence prisoner’s dilemma problems as it is not vulnerable to overuse, and moreover, and contra Hardin, urban atmosphere having the tendency to benefit from population density<sup>82</sup>.

Moreover, it should be taken into account that the city is not a frictionless agglomeration of commoners, but rather a site for ongoing contestation about what counts as common and who counts as commoners<sup>83</sup>, what is common, not being equally common to all, all sorts of power and politics going into how commons are produced<sup>84</sup>.

### The real estate development process

The real estate development process represents the production process at work to shape and reshape the built environment through rapid transformation, in a short space of time, or gradually, over many years<sup>85</sup>.

Although there are numerous models of the development process, the models that this paper will follow will be those of Adams and Tiesdall<sup>86</sup>: (I) the event-based model which concentrates on the events or stages of the developments process, while seeking to link them to the drivers of development; (II) the role-based model, an alternative model which explores the relations between development actors.

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<sup>81</sup> Borch, C. & Kornberger, 2015, pp. 7-8;

<sup>82</sup> Borch, C. & Kornberger, 2015, p. 11;

<sup>83</sup> Borch, C. & Kornberger, 2015, p. 15;

<sup>84</sup> Borch, C. & Kornberger, 2015, p. 16;

<sup>85</sup> Adams and Tiesdall, 2012, p. 74;

<sup>86</sup> 2012, p. 76;

### 1. The event-based model

The event-based model groups the many different activities of the development process into three main sets of events, represented by the three sides of the development triangle: (1) development pressure and prospects; (2) development feasibility; (3) implementation; and the essential requirements of each side must be completed before moving on to the next<sup>87</sup>.

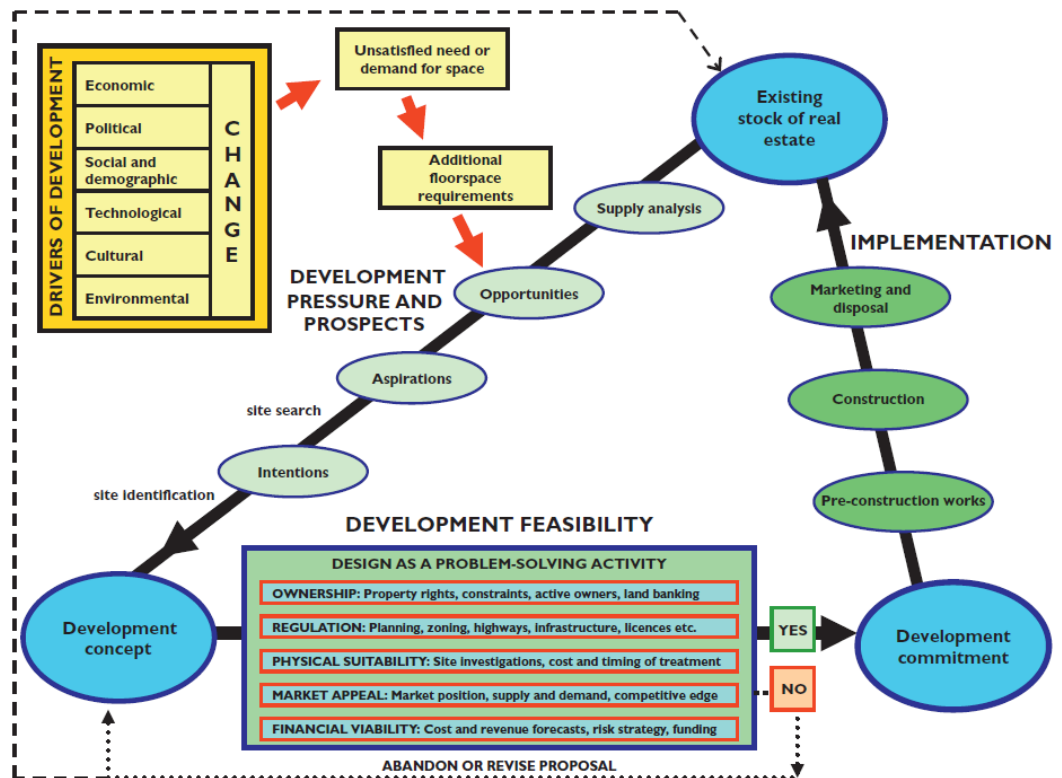


Figure 2: The event-based model  
Source: Adams and Tiesdall, 2012, p. 76.

#### 1. Development pressure and prospects

The supply analysis, opportunities, aspirations and intentions, are the events of the first phase of the process. The starting point is existing stock of real estate (sites or redundant buildings which can be (re)developed), through this phase, the development concept being articulated.

As the figure indicates, development is driven externally by economic, political, social/demographic, technological, cultural and environmental change, these factors explaining how development pressure builds up, with a possibility that these factors operate independently or in combination with each other, their effect being the need or demand for built space as it cannot be satisfied by what is available at the time for sale or rent, which translate into specific requirements for additional floorspace, and further generate the development opportunities<sup>88</sup>. Opportunities give rise to specific development aspirations, which instigates the search for suitable

<sup>87</sup> Adams and Tiesdall, 2012, p. 76;

<sup>88</sup> Adams and Tiesdall, 2012, p. 78;

development sites (if these are not already available) and identification of one, this determining the articulation of a broad development concept (expressed as drawings or as a written or verbal statement)<sup>89</sup>.

## 2. Development feasibility

This phase will determine whether the broad development concept can be translated into a firm development commitment or if the proposal is abandoned or revised. This is done through five specific tests of feasibility (ownership control, regulatory consent, physical suitability, market appeal, financial viability), each relating to a particular set of constraints or influences, being necessary that all are successfully negotiated if development is to occur.

A variety of property rights may exist in the same land, and to achieve development feasibility, it is essential to resolve ownership constraints (such as ownership unknown or unclear; ownership rights divided; ownership assembly required for development; willingness to sell, but not on terms acceptable to potential purchasers; unwillingness to sell) and achieve ownership control<sup>90</sup>.

Real estate development is a highly regulated industry, with a variety of government consents normally required for each project, typically under different legislation and often from different bodies (planning approval is often considered the most important, since it establishes the principle of development), being necessary that regulatory consent is reached, by joining together what separate regulatory bodies keep apart and anticipating and coordinating all the regulatory requirements likely to be imposed on the development, this being made through an effective design<sup>91</sup>.

Physical suitability refers to the ensurence that the identified site can physically accommodate the intended development, to check if there are any physical constraints by surveying the site and recording ground levels, investigating soil structure and checking for contamination, but also to check for infrastructural constraints, and to devise technically proven and cost-efficient means for their resolution<sup>92</sup>.

Before developing, there should be enough evidence that demand for space in the development's target market sector is likely to exceed supply sufficiently to ensure speedy take-up at the time when the development is expected to be finished<sup>93</sup>. This is called market appeal.

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<sup>89</sup> Adams and Tiesdall, 2012, p. 78;

<sup>90</sup> Adams and Tiesdall, 2012, pp. 81-83;

<sup>91</sup> Adams and Tiesdall, 2012, pp. 83-85;

<sup>92</sup> Adams and Tiesdall, 2012, pp. 85-86;

<sup>93</sup> Adams and Tiesdall, 2012, p. 87;

The financial viability refers to analysing (through cash-flow analysis) whether expected revenues are likely to exceed expected costs (which cover land acquisition, construction, professional fees, marketing and interest payments on working capital) by enough to produce the developer's desired rate of profit<sup>94</sup>.

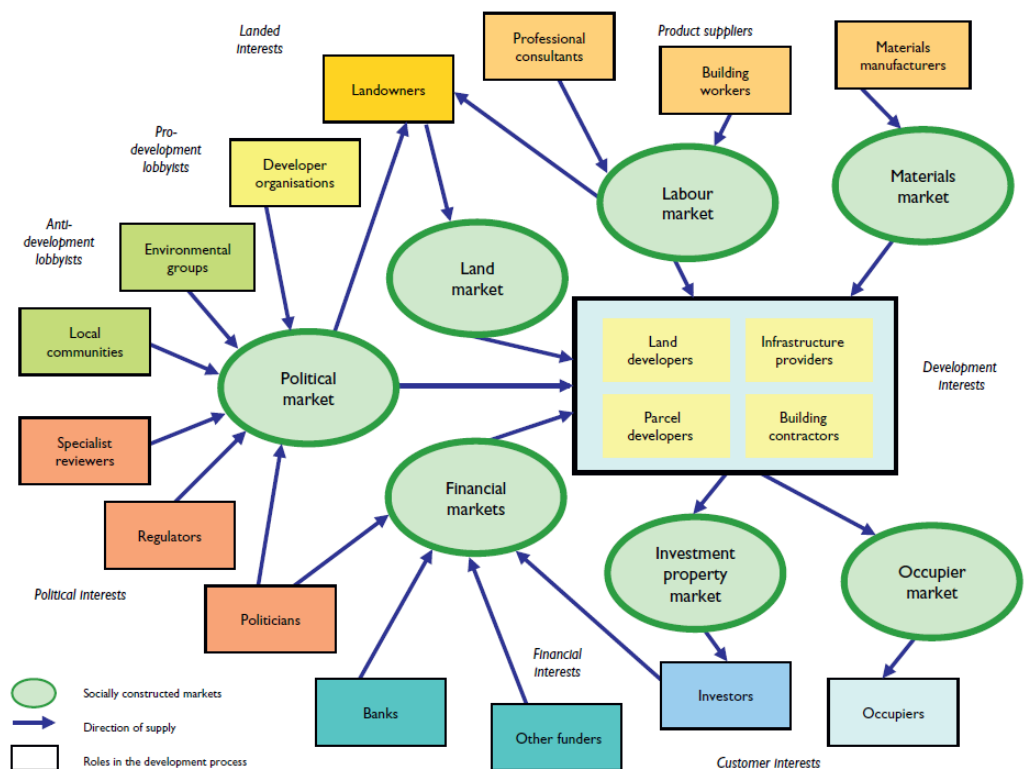
### 3. Implementation

Implementation involves three key components: pre-construction works, construction and marketing/disposal, in this stage developers concentrating on managing risk and balancing speed, cost and quality in delivery, the developer's profit being realised only when the development is transferred into occupation and ownership<sup>95</sup>.

Once the implementation phase is complete, a full cycle in the development process has been completed, resulting into existing stock of real estate which, in due course, may become obsolete, fall vacant and be demolished, with the site again entering the first side of the development pipeline<sup>96</sup>.

#### *(III) The role-based model*

This alternative model focuses on the importance of individuals and organisations, as real estate development is an intensely social process in which relations between people have a great saying in determining outcomes, the mix being time and place specific, the success of the development depending on coordination between roles<sup>97</sup>.



<sup>94</sup> Adams and Tiesdall, 2012, p. 88;

<sup>95</sup> Adams and Tiesdall, 2012, p. 90;

<sup>96</sup> Adams and Tiesdall, 2012, p. 91;

<sup>97</sup> Adams and Tiesdall, 2012, p. 94;

Four types of development interest are identified in the model: the land developer (operates at a strategic level to masterplan and subdivides the area into smaller parcels), different parcel developers, the infrastructure provider (responsible for provision of roads, sewers and other major investment requirements) and the building contractor (constructs the actual houses, shops, offices), with a possibility that these roles are undertaken by one actor or by four different actors<sup>98</sup>.

The model identifies seven essential markets for real estate development, five input markets which create opportunities for development interests to access the necessary inputs of materials, labour, land, finance and political support, the other two identified markets trading the outputs of the development process, namely completed buildings ready for occupation or investment<sup>99</sup>. The other roles in the development process fall into seven further categories: the materials market and the labour market (building workers and professional consultants), the land market (a largely informal network through which developers acquire ownership rights from landowners), the political market (from which more active landowners may seek to obtain regulatory consent), the financial markets (to provide both debt and equity capital for development), the investment property market and the occupier market<sup>100</sup>.

Organic development strategies – the specifics of the real estate development process involved when using this land strategy

When using organic development strategies to (re)develop an area, the initiative can come from a public or a private party. There are many different types of private initiators: there are the large, conventional, professional parties such as investors, developers and housing associations, and there are smaller parties and individuals, including individual residents, residents collectives, artists and entrepreneurs<sup>101</sup>. Residents can take both individual and collective initiatives for the development and

**Figure 3: The role-based model**

Source: Adams and Tiesdall, 2012, p. 94.



**Figure 4: Process diagram for organic development**

Source: author of this paper

<sup>98</sup> Adams and Tiesdall, 2012, pp. 95-96;

<sup>99</sup> Adams and Tiesdall, 2012, p. 95;

<sup>100</sup> Adams and Tiesdall, 2012, pp. 95-97;

<sup>101</sup> PBL, 2012, p. 58;

establishment of an area, this requiring a strong commitment to the area and sometimes a pioneering spirit.

However, private parties that initiate the process is harder to achieve as, if an area looks unattractive, there is less willingness to start the process since it is not guaranteed that other initiatives will follow. These private parties that initiate the development process are parties willing and able to take risks and can ensure that others will follow<sup>102</sup>. PBL<sup>103</sup>, in its report regarding applied organic development strategies, also identifies that, what is striking in the case studies, is the role of a number of intermediate (network) organizations which often have no direct interest in the transformation of a building or plot, but set itself the target to form a link between users, owners, potential promoters and the authorities, in order to bring about a transformation of the area.

Instead of a prescriptive blueprint, ODSs offer an open urban programme for the development area in which a variety<sup>104</sup> of initiatives can be realized, both individuals or non-traditional coalitions of actors (e.g. alliances between architects, entrepreneurs and citizen collectives) being invited to start a project, but also offering the opportunity for initiators to realize ambitions on a scale larger than individual units (e.g. autarkic living communities or multi-generational cohousing projects), the development process being demand-driven by involving the future inhabitants and users of an area in designing the living environment<sup>105</sup>.

The government sets the framework within which the new development unfolds and is committed to invite public and private parties and to 'seduce' order to invest in the area<sup>106</sup>. The framework is set as a vision which is different compared to the integrated and comprehensive development for which a blueprint might have been developed. In the case of organic development, the framework includes abstract development goals, conditions and opportunities for development of small pieces of land / property, development scenarios, or a broad set of inspirational images (collages, references).

Even though the type of functions that the initiatives serve, their location and the development pace are to a large extent left undefined, giving sometimes freedom of ODSs to ignore conditions which are commonly set by public authorities for ordinary housing and real estate developments, and to choose a combination of functions which will correspond to the lifestyles of individual or groups of

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<sup>102</sup> PBL, 2012;

<sup>103</sup> 2012, p. 10;

<sup>104</sup> reflected in the process, scale and type of projects

<sup>105</sup> Rauws & De Roo, 2016, p. 1059;

<sup>106</sup> PBL, 2012, p. 9;

initiators<sup>107</sup>, there is a set of conditions under which these initiatives can unfold (e.g.: leaving space for infrastructure) like in the case of Oosterworld, Almere which appears at first glance to have a “paradoxical situation of a planned development framework for urban self-organisation”<sup>108</sup>.

If the private parties are latent, public parties, who initiate the process, invite the parties to develop. In their study, PBL<sup>109</sup> identified municipal officials as very active in bringing together users, owners and other promoters and playing a networking role, identifying and recognizing different types of promoters, providing opportunities and bringing parties into contact with each other and entice to take initiatives, and/or played a mediating role between initiators to get around the business case. This approach demands a clear point of contact within the municipality, someone who has a lot of presence in the area and both owners and users know and connect with (similar to the company contact staff who many municipalities have): an account or area manager<sup>110</sup>.

The municipalities can offer subsidies or fund public services such as infrastructure and public space to be built gradually. Moreover, they can support the initiators by offering support with the planning. To avoid having to start a planning process deviation for each initiative, to municipalities in their zoning - and later the environment regulation - build in flexibility<sup>111</sup>

Urban Land Readjustment process – the specifics of the real estate development process involved when using this land strategy

The process involved in Urban Land Readjustment starts with the initiative to design a plan for readjusting the land by a public or a private party. After a decision has been taken to implement a land readjustment scheme for a certain area<sup>112</sup>, an urban land readjustment scheme follows these stages in the process: (1) all property owners are invited to temporarily transfer their property rights to a third party (the municipality, an urban redevelopment company, a special purpose vehicle established by the owners in the area or just one of the property owners) to allow the re-parcelling of the land<sup>113</sup>; (2) the ULR-based plan must comply with the land

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<sup>107</sup> Rauws & De Roo, 2016, p. 1059;

<sup>108</sup> Rauws, 2016, p. 351;

<sup>109</sup> 2012, p. 11;

<sup>110</sup> PBL, 2012, p. 13;

<sup>111</sup> PBL, 2012, p. 14;

<sup>112</sup> this decision, in most countries, takes place by majority vote; If all owners agree to participate, the ‘voluntary ULR track’ can be used; if a minority of the landowners refuses to participate, it can be decided – the legal basis for this differs per country - to follow the ‘compulsory ULR track’ (Muñoz Gielen, 2016, p. 83): the refusing minority can be obliged to participate;

<sup>113</sup> the land readjustment scheme can only be implemented when all property owners participate or can be enforced to participate (otherwise they would be free-riders who benefit from the redevelopment);

use plan for that area or the responsible authority must be able and willing to adjust the land use, as with any other development plan; (3) the third party will re-parcel



**Figure 5: Process diagram for urban land readjustment**  
Source: Van der Stoep, H. et al. (2013)

the land into building plots that match the layout of the new development plan for the location; (4) all owners are assigned a building plot to build on, equal to their original share, either in value or in size (if not, compensation takes place); (5) the value increase of the land as a result of the land readjustment will first be used to cover the costs of the process and to make land available for necessary public facilities related to the new development; the remaining will go to the owners; in some countries, also the costs for the realisation of public facilities are paid out of the value increase<sup>114</sup>.

Urban land readjustment can be initiated by either landowners or by public parties. In the first case, the owners must see sufficient benefits in the readjustment and will have to convince the other owners who are less enthusiastic, followed by a request to the municipality to adopt the Replacement Plan (Ruilvervalsplan) and the List of Financial Arrangements (Lijst van Geldelijke Regelingen) proposed by them and if necessary, the municipality can also make adjustments to the plan<sup>115</sup>. In the second case, the initiative for the readjustment comes from the municipality, by invitation. If before the economic crisis, the municipality would acquire the land through expropriation, nowadays this is no longer desired, because of the high costs and limited financial resources, instead, the municipality trying to stimulate the landowners to voluntary readjustment by providing information, facilitating the process or by offering some subsidies<sup>116</sup>.

<sup>114</sup> Van der Krabben, E. and Lenferink, S., n.d., p.7;

<sup>115</sup> Jansen, F., 2016, p. 19;

<sup>116</sup> Jansen, F., 2016, p. 19;



Other parties that can be involved in the process are the 'holders of knowledge': the Land Registry, consultancy firms and universities and research centers, who can offer organizational and procedural support.

## 2b.

# Brief introduction to relevant theoretical frameworks

The relevant theoretical frameworks focus on five concepts.

COLLABORATIVE GOVERNANCE	<ul style="list-style-type: none"> <li>• present in all three case-studies;</li> <li>• popular in addressing contemporary urban problems;</li> <li>• using tools such as: negotiated agreements and covenants, partnerships and networks;</li> </ul>
CPR MANAGEMENT	<ul style="list-style-type: none"> <li>• its principles can be used to solve the collective problem;</li> <li>• Ostrom's design principles used to successfully create "stable institutions of self-government" are presented;</li> <li>• common-pool resources can be organized in a way that avoids both excessive consumption and administrative costs;</li> </ul>
URBAN COMMONS	<ul style="list-style-type: none"> <li>• collectively shared urban resources that are subject to the same rivalry and free-rider problems as CPRs;</li> <li>• the literature is not extensive on them;</li> <li>• the research will contribute to this and how Ostrom's design principles mainly used for natural resources in rural areas can be used to manage man-made resources in urban environments;</li> </ul>
THE EVENTS MODEL	<ul style="list-style-type: none"> <li>• groups the many different activities of the development process into three main sets of events:               <ol style="list-style-type: none"> <li>1. development pressure and prospects;</li> <li>2. development feasibility;</li> <li>3. implementation;</li> </ol> </li> </ul>
THE ACTORS MODEL	<ul style="list-style-type: none"> <li>• focuses on the importance of individuals and organisations;</li> <li>• presents the actors and their different roles into the real estate process;</li> </ul>

As all of the three case studies implement the land strategies through collaboration, the first concept of collaborative governance is described in the literature review. Collaborative governance is popular in addressing contemporary urban problems, the literature review presenting its benefits but also the tools that can be used: such as negotiated agreements and covenants, partnerships and networks.

The second concept is that of CPR management as its principles can be used to solve the collective problem which is also encountered in the presented area developments (the case-studies).

Urban commons are collectively shared urban resources that are subject to the same rivalry and free-rider problems as CPRs, the literature not being extensive on them. Therefore, the research will contribute to this and how Ostrom's design principles mainly used for natural resources in rural areas can be used to manage man-made resources in urban environments.

The events model refers to the real estate process and groups the many different activities of the development process into three main sets of events (development pressure and prospects; development feasibility; implementation). It has been used to understand the collective process of designing the areas in each case-study, using the innovative land strategies of organic development and urban land readjustment.

The role-based model focuses on the importance of individuals and organisations and presents the actors and their different roles into the real estate process.

## 2c. Operationalisation of theoretical concepts

As the five concepts were described, a conceptual model can be drawn up. The model presents the process of an area development when one of the innovative land strategies is used (organic development or ULR) and in the case that the initiatives are non-public through collective action.

This thesis starts with the premise that success can be achieved when developing an area through collective action if there is a good CPR management. As the under-studied areas act as urban commons because they imply collective action, their good management can be achieved through implementing Ostrom's principles. Ostrom used these principles to see how stable is the collaboration between the participants. If these principles are missing, then the stability of the collaboration is

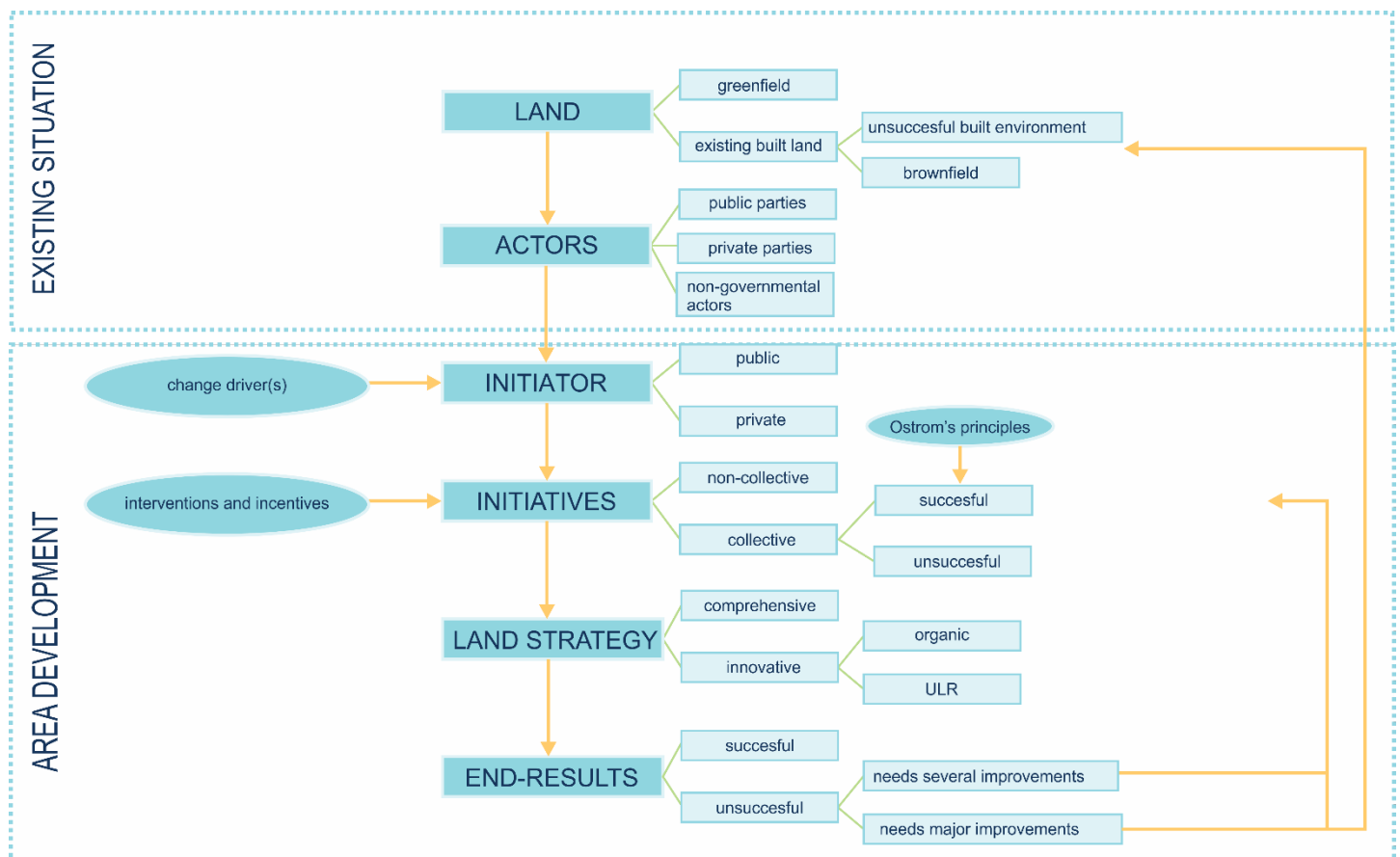


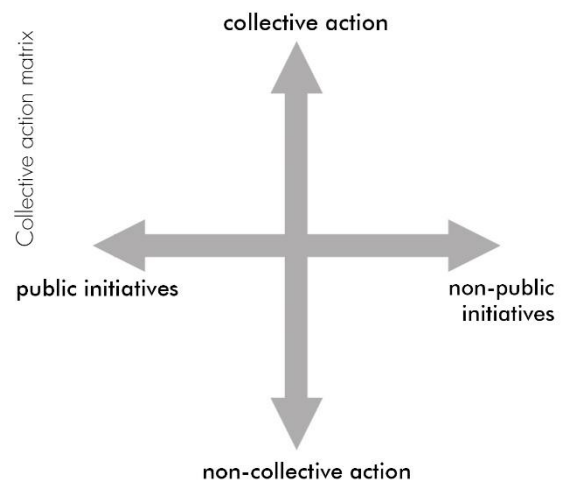
Figure 6: Operationalisation of theoretical concepts on the events of the real estate process

Source: the author

problematic. Therefore this research will look into what extent the collective action problem can be dealt with by using Ostrom's principles when urban areas are developed using the aforementioned innovative land strategies.

The extent to which there is support for shaping the space can be deduced from the coalitions that are formed by the parties involved. However, if there is no support for collective action, coalitions will not be able to form. The support can be increased by successfully implementing Ostrom's principles. This can increase the private interest and involvement. To be able to see what Ostrom's principles are followed in the process, a table with all the principles was created and each case-study was placed on each row where a principle was identified in its process.

To be able to make a comparison between the actors' involvement into the process in all the case-studies in this research, each case-study has been placed on a matrix: the *Collective action Matrix*. The matrix refers to the development/ building process as a whole in each of the case-studies. The matrix has: (1) a *collective - non-collective* axis which describes the degree to which different stakeholders worked together for developing/ building the initiative (a collective process being opposed to one in which an individual party takes full-control of the development); (2) a *public initiatives - non-public initiatives* axis which refers to who initiates the development process.





# 3

## Methodology

## 3a. Research strategy

### Case study strategy

The research strategy employed in this paper to enable answering the research question and meet the objectives, is case study, one of the several ways of conducting a research among experiments, surveys, histories and the analysis of archival information being acknowledged that the case-study strategy helps to find answers to questions like 'why?', 'what?' and 'how'<sup>117</sup>. Being defined as "a strategy for doing research which involves an empirical investigation of a particular contemporary phenomenon within its real-life context using multiple sources of evidence"<sup>118</sup>, in this research the case-study is used as a strategy to present and analyse the contextual conditions of three area developments, relying on multiple sources of evidence. This research sits in-between being exploratory and explanatory, trying to evaluate the case-studies.

### Description of case-studies presented in this paper

All three case studies are located in the Netherlands and present innovative land strategies, alternative to the public-led strategy conducted by public authorities, that was previously successful in the Dutch context. These innovative land strategies are analysed in how they are implemented on three different area developments in the Netherlands. The case-studies represent large-scale developments, one green field development, and two urban transformations, and contain various initiatives of numerous (and different types of) private parties which shape the space and the configuration of each area, generating an urban mosaic. In all three case studies, municipalities have designed a set of conditions to guide the development process, under which these initiatives can unfold. However, these conditions leave to a large extent the structure and functions of the initiatives open, as well as the timeframe for development, the development trajectory of the area being open-ended.

First, the research will look into the case of Buiksloterham, a redevelopment of a brownfield in Amsterdam, a former site of heavy industry which has fallen into

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<sup>117</sup> Saunders, 2007, pp. 146-147;

<sup>118</sup> Robson, 2002, p. 178;



disuse because the heavy industrial functions accommodated on the site have become unnecessary due to a change of market and technologies.

Secondly, the research will look into the case of Oosterwold, a large-scale experimental project of 4.300 ha of land which represents an urban extension expected to become a green residential and work area which will include at least 15,000 dwellings and will support 26,000 jobs.

Tatelaar and Hengelder, two business areas situated in Zevenaar, represent the third case-study, and imply an urban transformation due to infrastructural changes, decreasing viability of the present functions and deteriorating buildings and public domain.

The first two cases have organic urban development as a land strategy, whilst the third case uses urban land readjustment.

Case-study	Land-strategy	Location	Actors
Buiksloterham (Amsterdam)	Organic development area	Brownfield - Urban transformation	business owners and residents, commercial developers, non-governmental organizations
Oosterwold (Almere)	Organic development area	Greenfield location	mostly residents, small business developers, non-governmental organizations
Tatelaar and Hengelder (Zevenaar)	Urban Land Readjustment	Business park - Urban transformation	mostly business owners

**Table 1: Case-studies overview**  
**Source:** author of this paper

By analyzing the case studies, conclusions will be drawn on what are the success factors and barriers of new innovative land strategies used for area developments. Moreover, insights will be provided for successfully using innovative land strategies to plan and design the Dutch urban space, being possible that these insights are translated to other future area developments in the form of guidelines for both private and public parties.

To each case-study an overview is being given where the site is described, followed by Part II. Analysis which presents the real estate development process (through the lens of the events-based model and the role-based model, type of development, goals/objectives for collective action, contribution to collective action by each actor, sharing risks/distributing value), the success factors and barriers of the system.

## 3b.

# Research methods, data collection and data analysis

The techniques for collecting data will be interviews, the data collected for this study being primary data, as well as qualitative data.

Kahn and Cannell<sup>119</sup> define an interview as “a purposeful discussion between two or more people”, which can further serve as a helpful instrument for gathering valid and reliable primary data, relevant to the research questions and objectives<sup>120</sup>. Being usually associated with the survey method for data collection, interviews are essential sources of case study information, being conducted as guided conversations rather than structured queries, pursuing a consistent, but fluid line of inquiry<sup>121</sup>.

For this paper, as research methods, semi-structured interviews were conducted on a one-to-one basis between myself, the researcher, and different key actors from the three case-studies. In the case of Buiksloterham, one unstructured (in-depth) interview was conducted in an informal discussion with Saskia Muller during an organised tour in Buiksloterham, which had no predetermined list of questions, only a clear idea about the aspects wished to be explored, thus the interviewee had being given the opportunity to talk freely about Buiksloterham’s development, her experience with self-building and his beliefs in relation to the topic area.

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<sup>119</sup> 1957, cited in Saunders, 2007, p. 318;

<sup>120</sup> Saunders, 2007, p. 318;

<sup>121</sup> Yin, 2002, p. 89;

### 3c.

## Validity and reliability of the research

Reliability refers to the extent to the data collection techniques or analysis procedures will yield consistent findings<sup>122</sup> and regarding this research study, it can be acknowledged that there might be subject or participant bias from the interviewees, to which the observer bias is added as the replies of the interviewees will be interpreted, however, I am confident that these threats can be reduced to a minimum. As the case studies are selected from a Dutch context and the researcher is not a speaker of Dutch language, it's possible that more data is available in Dutch and could not be investigated by the researcher as this data might have not come as a result to the search using keywords in English.

This study can generalise from findings of the different cases to be equally applicable to other research settings and to produce generalisability or external validity as it is called. The case-studies of this research present the experience of each area development with organic development and urban land readjustment, that are continuously tested, monitored, and adapted in a continuous evolutionary process. Different area developments where there is a desire for implementing the organic development or ULR as land strategies or other strategies that imply collective action to shape the space can consider and draw inspiration from these case-studies, however each will have to create their own rules and institutions and apply the land strategies depending on the respective context.

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<sup>122</sup> Saunders, 2007, p. 156;



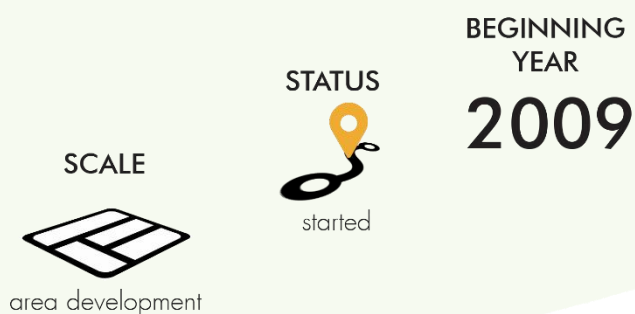
# 4

## Case-studies

This study presents three real-world settings where governments, businesses and civil society groups and individuals collaboratively seek to shape the urban space by implementing innovative land strategies.



## 4a. Buiksloterham



Context: redevelopment of a brownfield location

Land strategy: organic urban development

Location: north of the city centre of Amsterdam, across Amsterdam Central Station on the other side of the IJ.

### PART I. OVERVIEW

#### The land - site description

Buiksloterham is a former site of heavy industry which has fallen into disuse because the heavy industrial functions accommodated on the site have become unnecessary due to a change of market and technologies. The area covers around one hundred hectares and has started to reduce its industrial estate and transform into a mixed-use urban area since 2005 (when the project decision was taken). The transformation is being made using an incremental piecemeal development strategy, which involves transforming an area plot by plot by various private parties (ranging from individual and collective homebuilders, creative designers and architects, energy and water companies, and more traditional real estate developers and housing associations) who are invited to come up with plans that fit in the broad vision developed by the municipality on the redevelopment of the location.

Previously being zoned as an industrial area with a noise contour where housing was prohibited, for Buiksloterham's redevelopment it was envisioned that the area is zoned as mixed-use, the environmental

category of businesses being in this way limited and housing being enabled. The time horizon for Buiksloterham's transformation is set for 2030, being envisioned that mixing should be realised on all levels (area, building block and individual plot) and that the character of the area is preserved as industrial, but having sustainability as a conditional criterion for each building project. Mixity of functions is appreciated in Buiksloterham, one of the first in-movers appreciating that in this way there is an interaction between people from different social classes and he and his family do not live in a monoculture area, moreover, hoping that the area will not become a 'bubble' of upper-class individuals, since Buiksloterham has received a lot of attention and the land prices go rapidly up, thus soon becoming impossible for other social classes to come live or work there<sup>123</sup>.

### The actors

Through direct ownership, but mostly through urban development concessions (usually over fifty years, but sometimes it can be less), the land in Buiksloterham is divided over a multitude of different private parties, with different business models and functions in mind, one third of the land being left to the municipality to develop itself. Multiple actors are involved in developing Buiksloterham:

public parties:

- Noordwaarts, a project office that coordinates the planning on behalf of the district (stadsdeel) Amsterdam-Noord and the Municipality of Amsterdam (which is involved because Buiksloterham is a project of wider importance);
- the National Government which is involved as a funding body via the 'Nota Ruimte' budget;
- the City-Region Amsterdam which is only involved because of the realization of the Zaan Corridor express bus connection;

private parties:

- the business sector represents the most important stakeholder and was closely involved from the very beginning via its two representative bodies, the VEBAN association and the Amsterdam Chamber of Commerce; the Municipality also wished to attract creative and young entrepreneurs (as it was in the case of the De Ceutel) to incubate the development of the area; private parties can choose to develop the project by themselves or to look for investors who are willing to invest in the project;
- even though their role was minor in the planning process as they were just starting to acquire land when the land-use was developed, their role increased and three types of developers are encountered in Buiksloterham: developers who develop for own use (end-user developers), developers who develop for the public interest (the municipality or the national government) or commercial developers;

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<sup>123</sup> Source 2;



furthermore, a hybrid type of developer is encountered, the housing association, that carries out public tasks, but is an independent, private organization, which has as an objective to make profit; the role of developers in the process is important as they usually accelerate the transformation of the development area;

- except for a few houseboats, citizens/ individuals were not existent on the site at the beginning of the planning process, but they played an important role in the process as well, the first movers acting as promoters of housing for the area;

the civil society:

- ANGSAW (Amsterdam-Noord Green City on the Water) is a civic organization who was interested in the area since its foundation in 1994, proposing from the very beginning a mixed-use development for the whole Northern IJ-Banks, a bigger area that includes Buiksloterham; they were involved in the transformation of the area, being content with the general direction of the transformation, a more flexible land-use plan, but also a more green and accessible waterfront being their only disappointments regarding it; SPINN (Stichting Particulier Initiatief Nautisch Noord) was another citizen NGO who was involved as they are promoting the nautical development of Amsterdam-Noord.

## PART II. ANALYSIS

### The area initiator

The process of transforming Buiksloterham was triggered by Shell's decision to restructure its laboratories on the adjacent area, Overhoeks, this motivating the municipality to rethink the future development of Buiksloterham as it would have been incompatible with the development of Overhoeks – before this, the municipality wished to preserve the area as an industrial estate. As the housing demand in Amsterdam was high, the municipality saw an opportunity in developing Buiksloterham as a mixed-use area, which would also accommodate housing. If we compare these first events with the events-based model, in the case of Buiksloterham, the activities of the first phase did not happen in the regular order: a supply analysis of housing demand in the city of Amsterdam took place in the background and not necessarily in relation with Buiksloterham; the site was identified as an opportunity and gave rise to specific development aspirations.

When considering who initiated the process, it was Shell's decision to restructure its laboratories on the adjacent area was what motivated the Municipalities to rethink the future development of Buiksloterham, however being still the municipality's decision, Shell's decision only showing the potential of the site. Therefore, the area initiator was public.

### The development concept

First, the municipality wished to develop the area into a comprehensive manner, however in 2008 the crisis hit and everything was put on hold. Afterwards, the Municipality set out an auction to invite private parties to invest in the area and also thought about innovative development solutions such as incubators for the area<sup>124</sup>.

As a development concept, the municipality developed the framework for development: aiming to develop a circular Buiksloterham, and in order to achieve this, some rules of play were developed that were applied to all parties in the area. These 'rules' include a number of overarching urban design criteria such as public spaces, building heights, functions and sight lines. The plan is not defining the function, position and lines of buildings in much detail. Private parties can be refused to join Buiksloterham (which already happened with one interested party) if their motives do not coincide with the interests for Buiksloterham<sup>125</sup>.

At the same time, for different individual plots, the private parties who were or wished to come to Buiksloterham to develop, developed a concept and further continued the real estate development process, with all the involved activities, as described in the events-based model.

The Municipality also played an active role in developing Buiksloterham by owning land in the area (35 hectares out of 100, which represents about 30% building land in the area) to be further developed into green space (4,6 ha), public space (3,3 ha) and infrastructure, but also planning to build 2,700 dwellings (from which 30% will be for the social-rental sector).

### *The Action Plan*

General ambitions for a circular neighbourhood were translated into an Action Plan that considers the context, challenges and opportunities of Buiksloterham and identifies two types of interventions: systemic (process-oriented) and technical (immediate actions)<sup>126</sup>.

Urgent to be implemented, five categories of systemic interventions are proposed in order to create the necessary structures for sustaining a long-term transition process in Buiksloterham:

1. Designate Buiksloterham as an official experimental zone or Living Lab where new technologies and management approaches can be applied and learned from; as a first consequence, it legally permits developers and residents to experiment with some new materials and clean technologies in construction;

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<sup>124</sup> Source 1;

<sup>125</sup> Source 3;

<sup>126</sup> Metabolic et al, n.d., p. 18; Source 3;

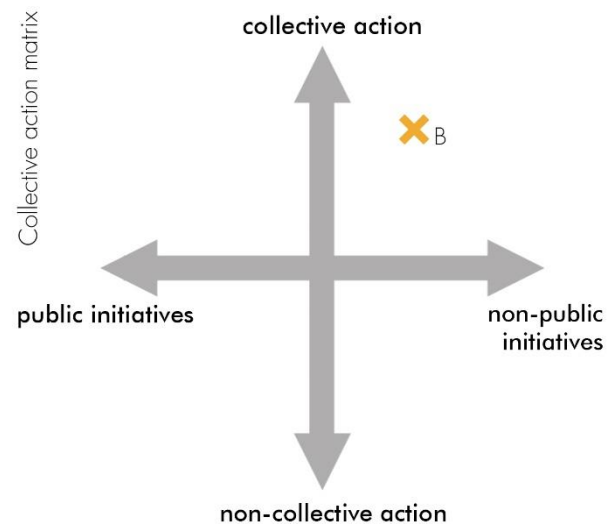
2. Develop an inclusive governance and management structure for Buiksloterham that will give responsibility and authority to local stakeholders in collectively managing and enforcing progress towards the long-term goals;
3. Create new incentive structures (such as tax or credit schemes) and financial vehicles (such as a rotating "Circular Investment Fund") to successfully achieve the vision;
4. Build capacity for urban sensing and open data infrastructure early in the process in order to create visibility and buy-in for the local activities, to monitor the progress towards the goals, to enforce key directives, but also to help research and communication;
5. Implement a Circular Neighborhood Action Plan which represents a set of resources for residents, developers and local stakeholders active in the area that provides the translation of higher-level goals into everyday activities through up-to-date guidelines, being also a vehicle for internal communication; can include a community web portal, household purchasing guidelines, developers guidelines, and other accessible resources

Five urgent areas for technical interventions have been identified, each with specific action points:

1. Fully renewable energy supply and reduction of the structural energy demand by implementing stringent energy and insulation standards, such as the Passive House standard, energy efficiency plans and electric efficiency guidelines in the construction of new buildings (e.g.: green roofs, solar infrastructure, a district heat network, individual energy technologies);
2. Water innovation through natural rainwater and above-ground management to make Buiksloterham storm-water-sewer-free and recovering nutrients and resources from wastewater; actions include roof designing to handle access and extra weight for water collection and buffering, green roofs, but also building flexible infrastructure which ideally should include different sewer lines for different water quality types (grey, yellow, and brown water)
3. Shared and Alternative Mobility through a plan that proposes reducing passenger miles overall, facilitating low-energy, zero emissions alternative modes, and increasing shared use of vehicles so that the local emissions, energy use and the need for parking spots are reduced;
4. Soil as natural capital by remediating the polluted soil through bioremediation combined with temporary use so that the areas become societal assets and the local biodiversity is progressively rebuilt;
5. Close the loop by recovering and reusing Buiksloterham's short, medium and long-term materials in their highest quality form possible through source separation programs and circular building principles as first, most crucial, steps.

### Type of initiatives

Up to this point, the area develops through non-public initiatives and collective action, being situated near to the middle of the first quadrant in the Collective action matrix. The actions for Buiksloterham's development are mostly carried on by the private sector, the public sector also acting as a developer for part of the land in the area. Before the 2008's crisis, the municipality was planning to comprehensively develop the area, but after this event, because of financial reasons, the municipality's involvement in acting as a developer decreased. Therefore, the private sector has a more important role in the process, the municipality only wishing to enable the transformation of the area through various interventions or incentives.



### *Goals/objectives for collective action (individual per actor and general for the project)*

The general goal for collective action is to allow for a gradual transformation of Buiksloterham into a mixed-use urban neighborhood. The site has changed drastically the last decade. Most of the former companies are gone and new companies situated here. Because some big companies left the area a new dynamic occurred: mainly smaller creative businesses being currently attracted into the area. Because there was no market for a 'traditional' business area, a new perspective for Buiksloterham was needed. Therefore, the focus was to redevelop the area to allow for smaller businesses and housing, without removing all industrial functions.

While working together towards the collective goal, actors still had individual goals to pursue, from which, the goal of the existing business sector stands out. After opposing the plans in the beginning, the existing businesses in the area took a constructive stance to influence the plans to pursue their individual goal to maintain their businesses in Buiksloterham. Through their involvement, they achieved not only maintaining the existing business and the industrial estate, but they also succeeded in defining the percentages of residential and commercial functions, locating the plots with the highest share of housing further away from the industrial estate and defining a zone around the estate within which housing is prohibited until further notice so they do not receive noise complaints. They also achieved redirecting a bus line, so their accessibility is improved. Noordwaarts also offered to the existing businesses to finance acoustic consultancy and a legal advisor to help them into the process.

Once they decided to move to the new area, residents and entrepreneurs as end-users also had individual goals to pursue, which mainly referred to the success of the development which directly influences the quality of their living or their business and increasing the value of their investment.

The interests of the municipality are the public interests, but it also has a financial interest, not necessarily to make a profit, but to protect its own capital so that it can continue to be financially viable.

### *Contribution to collective action by each actor*

Considering the collective action in Buiksloterham's development, all the parties worked together towards the common goal of improving the area, having at the same time different individual goals.

Private parties in the area work with each other when their interests match. For instance, cafe De Ceuvel collaborates with 50|50 Green, a vegetable garden run by the Salvation Army, from where they buy their vegetables, but also with a plastic recycling company called Wasted, a neighbourhood programme that offers a coin if individuals recycle their plastic with them, which can be spent at the cafe among other places in Buiksloterham<sup>127</sup>. Moreover, the cafe collaborates with NDSM, an initiative in the adjacent area to Buiksloterham, but also with the EYE film museum which plays documentaries at their location sometimes<sup>128</sup>, thus being in a collaboration within a network of innovative businesses.

Smaller individual parties collaborate for different issues through various groups that they form. For instance, in the case of Bosrankstraat, from thirteen households, around nine were active in "different constellations of different people doing different things together on a free-will base", their activities ranging from designing the street, providing the poles for the houses' structure or writing the blog of the street<sup>129</sup>. Thomas Dill, one of the inhabitants who lives on Bosrankstraat and who was involved in the group formed to design the street he is living on, acknowledges that it was not easy to work together with his neighbors, the process involving many meetings and putting a great effort. Even though the Municipality is providing the infrastructure for Buiksloterham, as the residents of Bosrankstraat were not happy with the proposed design which was different from what was there when they first moved in (the proposal was changing the street from being a dead-end to being a drive-through and thus affecting the quality of their living), they have decided to form a group and get involved in its design to come up with a better solution<sup>130</sup>.

Even though there is a high number of collaborations between different parties in Buiksloterham, it's easy that the actors slide to pursue their different individual goals and not working together to develop the area collectively, as the area contains a

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<sup>127</sup> Source 1;

<sup>128</sup> Source 1;

<sup>129</sup> Source 2;

<sup>130</sup> Source 2;

high number of different private parties which might have, at times, contrasting interests, the mix of functions in the area being one of the reason that brings conflicts. For instance, in the case of the aforementioned cafe De Ceuvel, there were two situations that reflect this. Because the cafe attracts a lot of people, this generates a lot of traffic and noise. The direct neighbors of the cafe (automobile repair shop), with whom cafe De Ceuvel shares the street, often complain that there are too many parked bicycles on the street and they ask that something is done about it. At the same time, cafe De Ceuvel has complaints about the high number of cars on the street that makes it impossible for delivery trucks to reach the location. Another situation relates to the noise complaints cafe De Ceuvel received in the first year when the cafe has opened, from the neighbors across the water, which represented one of the most challenging situation for the cafe, that still needs to be carefully handled<sup>131</sup>.

#### Interventions and incentives

In order to support the development of Buiksloterham, the municipality intervened and offered a number of incentives.

In order to attract different private parties to come to Buiksloterham, but also to keep the existing ones in the area, Buiksloterham was promoted as a sustainable location and an intervention to support and achieve the sustainability in Buiksloterham was to hire a sustainability expert to research on sustainability and possible interventions to implement in the area, but also to coordinate the process and the collaboration between stakeholders regarding sustainability.

The municipality also intervened using a series of soft-measures to encourage and improve sustainability and the area as a whole. One of the examples is the financial support given to the first new residential movers of Buiksloterham, the people living on Bosrankstraat, the municipality paying for them to run a blog (<http://bsh5.nl/>) where they share the experience of moving in and living in Buiksloterham<sup>132</sup>.

A bureau of incubators at the municipality scans the city for either plots of land or empty buildings and tries to involve different creative parties to come and start initiatives in various locations, at the same time offering subsidies to help starting up the initiatives<sup>133</sup>. The partnerships are made through the form of an urban development concession. In this way, the municipality stimulates the owners and contract-holders to develop by themselves. In the case of De Ceuvel, a creative and sustainable office park consisting of thirteen retrofitted houseboats placed on mainland and connected by wooden walkways, three workshop spaces and one cafe-restaurant, the Municipality got involved in the process by setting up an incubator: allowing a temporary use for this area until the market picked up.

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<sup>131</sup> Source 1;

<sup>132</sup> Source 2;

<sup>133</sup> Source 1;

### Sharing risks/distributing value

In order to enable the transformation of the area, public parties have invested in the area: while the municipality invested in land acquisition, public space and infrastructure and buying out companies, but also in cleaning the land, the public investment for soil rehabilitation, public space and infrastructure being of approximately €156 million, the National Government was also involved as a funding body, Buiksloterham being considered to contribute to the Nota Ruimte 's objectives along with 22 other Dutch projects. The Municipality is capturing the value through high land values, which has effects in private parties building using the maximum allowed floor space and height in order to be able to pay the land price<sup>134</sup>.

By owning some land in the area, the Municipality takes a risk, but it is not as big as it would have been in the case of a 'traditional urban development' when all land is acquired and prepared by the municipality and then sold to developers. Instead, in the case of Buiksloterham, the public parties only wish to enable the 'organic' transformation of the area through partial acquisition of land, law and interactive governance being now the tools to enable the transformation.

Private parties bear their own financial risks, while their investment contributes to the increasing of the value of the whole area. In the case of De Ceuvel, the place was started with the help of the Municipality by receiving a subsidy (because it is an incubator), but they also applied for a loan which is paid back through the rents that are being collected from the entrepreneurs who occupy the houseboats or other renting spaces. Moreover, through various smart financial scenarios, the whole De Ceuvel site and the cafe support each other. The narrative of the site makes the cafe an interesting destination, a sort of an attraction. Having a big stake in the development of De Ceuvel, the cafe took a leading role in developing large scale events, developing website content or offering tours on the site for universities and interested companies which increase the value of the cafe, but also has a spin-off effect and increases the value of the whole De Ceuvel site, the whole surrounding area and Buiksloterham<sup>135</sup>.

### CPR management

Twenty-one parties including self-builders of Buiksloterham, the municipality of Amsterdam and other public parties (water board, heat provider), private developers, research institutes, and other local stakeholders signed a non-legally binding document, the Manifesto. The document represented the promise of the involved parties to work together towards the common goal of transforming the area into a sustainable neighborhood and gives the right to the Board to deny

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<sup>134</sup> Source 2;

<sup>135</sup> Source 1;

access to parties who do not comply to it. By signing and applying the Manifesto, clear group boundaries were established (principle 1).

The second principle of Ostrom refers to good fitting rules and involves two parts: (a) a relatively proportionate relationship between the assignment of benefits and of costs and (b) the rules concerned conform to local conditions. Regarding the first part, the initiators consider the relationship between the benefits and the costs proportionate, more and more parties choosing to relocate into the area. Referring to the second part, in the case of Buiksloterham, keeping the programme for urban development relatively open to be specified in a later stage, but also choosing to organically develop the area, stays in line with the second part of the principle, the rules concerned conforming to the local conditions: a brownfield where there were still existing businesses, traditionally developing the site by buying everything and wiping it out not being viable in this case.

Not only that the group participants were able to influence the plans and the direction of the development before it has started, moreover, by being part of the coalition and signing the manifesto, they can participate in modifying the operational rules, this being in line with Ostrom's third principle collective-choice arrangements.

Noordwarts, a project office that coordinates the planning on behalf of public parties monitors the behavior of the involved parties and apply graduated sanctions (principle 5) and tries to negotiate conditions between the participants and public parties. However, when one inhabitant of Bosrankstraat refused to participate in designing the street, free-riding on the benefits that the new street would bring to his residence, there were no sanctions for it (apart from some social sanctions coming from his neighbors). This shows following principle 5 is flexible depending on the degree of the gravity of ones actions.

Moreover, to ensure that so the architectural aesthetics are guaranteed in the area, already before the approval of the land-use plan, two Amsterdam commissions overseeing urban design of projects asked for a supervisor to be appointed to check the proposals for Buiksloterham (even though the aesthetic principles are quite limited and many plots are free of aesthetic considerations - welstandsvrij). These actions are in line with the fourth principle of Ostrom: monitoring.

In a local arena, the public body made concessions with the business sector when larger companies had substantial objections. Different parties form small groups or have discussions to solve different issues or conflicts. Moreover, Noordwarts becomes a mediator in conflictual situations or between different parties who might find themselves in a conflict, this being in line with Löw's argument and with Ostrom's sixth principle: conflict-resolution mechanisms.

The Municipality of Amsterdam allows for different parties to organize and form groups within the whole area development to solve different issues or to



communicate more effectively and it recognizes their rights and rules as it was the case with the inhabitants of Bosrankstraat to have the right to a residential street where children could play and not to be transited with speed by auto-vehicles. This shows that principle 7 is followed. However it remains to be seen how the Municipality will choose to act in other situations such as some of the inhabitants wishing to organize to provide their own heating in an autonomous, off the grid manner and not wishing to connect to the public system<sup>136</sup>.

Freedom and diversity in commissioning will generate a multitude of functions and appearances, which, even though it represents a quality, the existing legislation comes as a barrier to this (principle 8). For Buiksloterham a mixed-use development is desired, but legislation makes mixing difficult as it requires large bureaucratic efforts to avoid individual contours even from the smallest workshops, meaning that the enterprises are not nested. Another barrier that legislation imposes comes from the requirement of the Dutch planning legislation and jurisprudence for land-use plans detailed knowledge about and accurate projections of a future situation, as for the development of Buiksloterham, the future situation is not known and is desired to be left open, to this adding up the struggles with the requirements of the Spatial Planning Act in combination with noise regulations of the Noise Abatement Act and the Environmental Management Act.

#### List of sources from interviews

Source 1: Tycho Hellinga – event manager at cafe De Ceuvel

Source 2: Thomas Dill – architect, self-builder of KasHuis

Source 3: Saskia Muller - one of the three quarter masters of Buiksloterham, but also a resident of Buiksloterham

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<sup>136</sup> as it is the case of the collective building presented by Source 3;



## 4b. Oosterwold

BEGINNING  
YEAR  
**2014**

STATUS



SCALE



area development

Context: a large-scale experimental project (4.300 ha of land) to offer a new area for living and working in a rural environment

Land strategy: organic urban development

Location: greenfield location situated between the municipalities of Almere and Zeewolde (Flevoland province)

### PART I. OVERVIEW

#### The land - site description

Oosterwold area covers 4,300 ha and represents an urban-extension area which initially had an agricultural function, being expected to become a green residential and work area which will include at least 15,000 dwellings and will support 26,000 jobs.

#### The actors

In developing the area of Oosterwold, the following actors are involved:

- the National Government who owns 67% of the land;
- the two municipalities, Gemeente Almere and Gemeente Zeewolde which have set the framework for development;
- an advisory committee set up by the municipalities;
- an area director, hired to lead the development in the right direction;



- landowners: real estate developers and farmers who owned 22% and respectively 10% of the land in the area prior to the start of the development;
- initiators (developers or individuals) or groups of initiators who want to start a project to take advantage of the freedom Oosterwold offers to realize their own ambitions; when this paper was written, 150 development and cost recovery agreements between local authorities and initiators (mainly individual households) have been signed to start development in Oosterwold.

## PART II. ANALYSIS

### The area initiator

Developing Oosterwold follows the events-based model presented in the theoretical framework: there was a demand for new housing in Amsterdam and Utrecht, for which Almere could cover 60,000 out of 140,000 in total that Amsterdam and Utrecht need<sup>137</sup>, identifying Oosterwold as good location which could include at least 15,000 dwellings. Almere is located in one of the Dutch polder areas and launched Oosterwold as a new urban district, whose future inhabitants and other users can commute to/from the city centre of Almere, but also to Amsterdam and Utrecht, as Oosterwold is in close connection to the highway that goes to both cities: Almere is a suburb of Amsterdam with its first house built in 1976 with [land] prices lower than Amsterdam. The initiative came from the Municipality; there was interest from private developers for this area to develop, but not for this kind of organic development<sup>138</sup>.

1. Connection to Amsterdam by public transport and possibly car traffic
2. Differentiation by adding urban and rural living and working environments
3. Contribution to the ecological scale of IJmeer and Markermeer
4. Development of Weer water zone with possible overpass of A6
5. Strengthening the green-blue corridor between the existing and new cores
6. Conversion from Consumption city to Production city
7. Interventions in the existing city

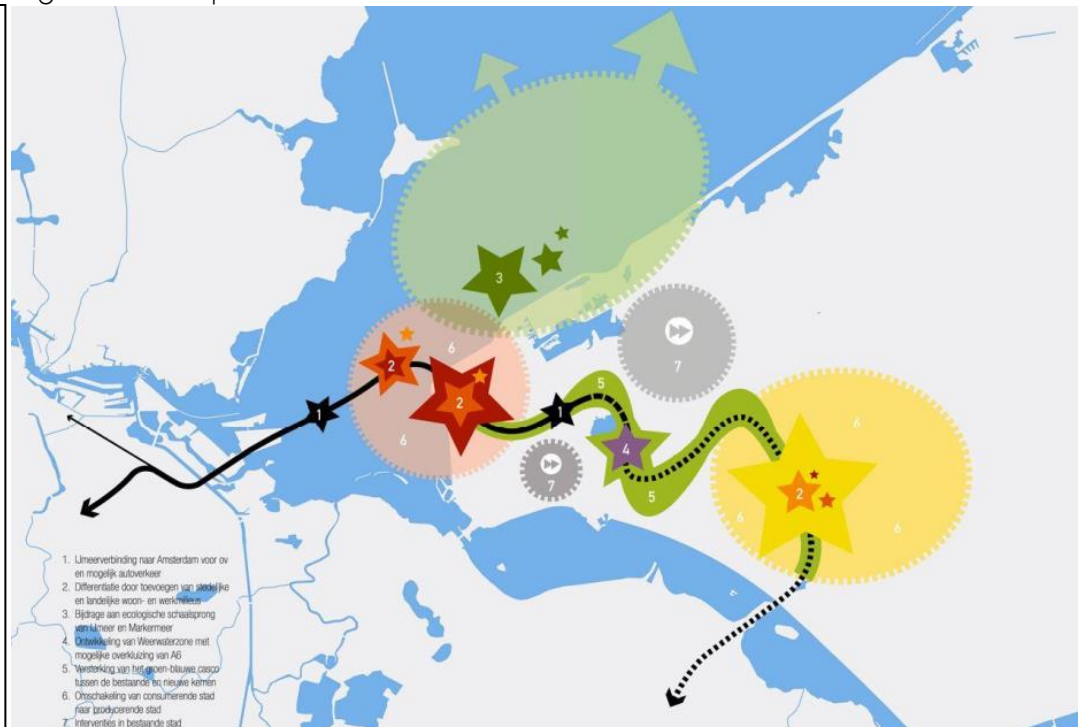


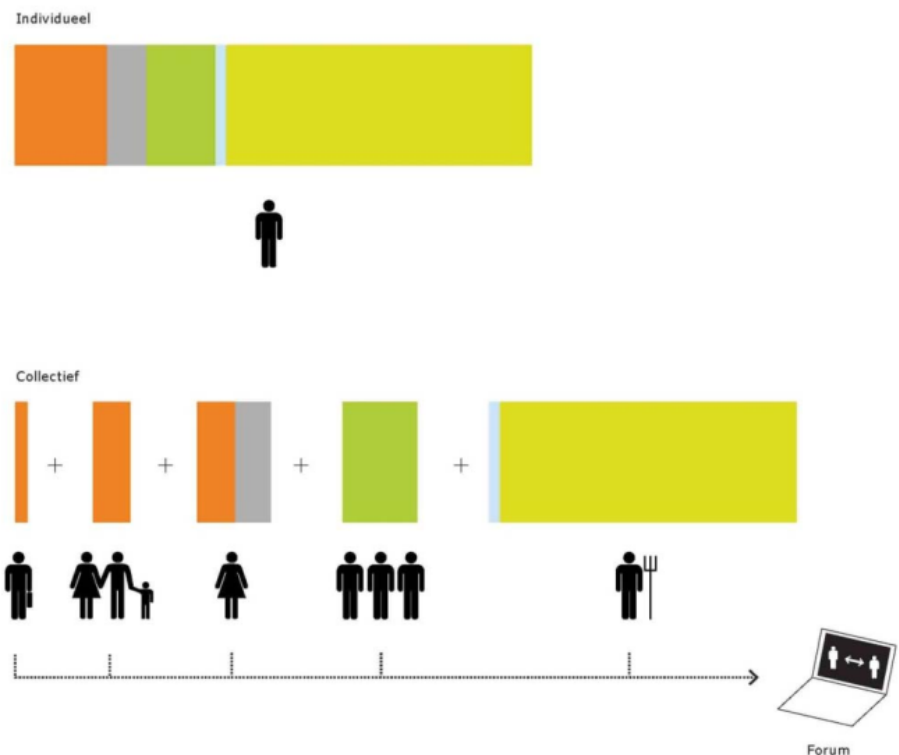
Figure 7: Masterplan Almere 2.0 "Schaalsprong"

Source: Michel Cossee [Source 1] Powerpoint presentation

<sup>137</sup> Source 1;

<sup>138</sup> Source 4;

The municipality encourages that people who wish to live and/or work in Oosterwold come individually or in association with others. In case of the latter, the municipality suggests that they communicate using technology via a 'Forum'. It is not a necessity to form collectives, but you might say it's promoted and it's



*Figure 8: Communication of Oosterwold's inhabitants via a Forum*

Source: Gemeente Almere and MVRDV, 2009.

expected, being more efficient to do that or they can organise everything according to a market mechanism; maybe there will be companies that will approach the residents to be hired to take care of all the collective issues<sup>139</sup>. However, they are still waiting to see how it will develop in the future as they might decide to form their own city council and then Oosterwold becomes just a new city, this being an interesting part of the experiment: in the end, will they arrive to something that is very similar to how we [normally/usually/currently] organize it or will they come to something that is very different?<sup>140</sup>

The government also play a facilitating role in the development, being responsive towards the actions of civil initiators and offering support (e.g.: connecting the initiators with one another). For instance, in traditional area developments there was required to have 30% social housing. In the case of Oosterwold, the

<sup>139</sup> Source 4;

<sup>140</sup> Source 4;

municipality wishes to facilitate 30% of social housing by providing them support when they decide to come and develop in the area<sup>141</sup>.

### The development concept

The local government, represented by the two municipalities, provide a framework for development which includes various conditions for each individual project comprised in an integral inter-municipal vision which gives a lot of freedom to the initiators (considering the Dutch standards) to develop and design Oosterwold's land development, urban design and utility provision. In other words, the public authority directs the vision, the game rules, the basic structures and the planning measures, whilst the initiators take care of the (sustainable) planning, land positions, preparation for construction, building, shaping the space, all ingredients of each plot being developed by the initiator(s) themselves<sup>142</sup>. This fits in the trend of organic development. The public parties wanted to to experiment with organic development as there are long discussions in the Netherlands regarding the housing industry which is too much dominated by the development industry, being very much supply land and not demand land<sup>143</sup>.

In the Masterplan Almere 2.0 "Schaalsprong" developed by Gemeente Almere [the municipality of Almere] and MVRDV<sup>144</sup>, describes the vision for Oosterwold: the area represents a transition area between the city and the agricultural polder and it provides space for rural living in low-density green areas, being opposed to the urban development on the west side of the city; the envisioned result is a "small-scale landscape with habitation, urban agriculture and recreation". Moreover, the masterplan divides the area into two sub-areas which will function differently: for Almere Eemvallei is envisioned a use mainly for large-scale agriculture as it offers a wide and open space, on the other hand Almere Hout is envisioned as belonging to the polder edge with a solid green structure interspersed with housing<sup>145</sup>. However, they have organised in such a way that many issues are still open for discussion; and what is more they have mostly defined quite detailed what they do not want<sup>146</sup>.

Even though there is a vision for Oosterwold, there is no blueprint of what Oosterwold should look like in the future and there is a lot of room for bottom-up initiatives. A generic set of basic rules and principles are set and six ambitions are formulated to steer the initiatives in the desired direction (e.g. organic development,

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<sup>141</sup> Source 1;

<sup>142</sup> De Nood, n.d.;

<sup>143</sup> Source 4;

<sup>144</sup> 2009, pp. 249-265;

<sup>145</sup> Gemeente Almere [the municipality of Almere] and MVRDV, 2009, p. 249;

<sup>146</sup> Source 4;

urban agriculture, self-sufficient). For the development of Oosterwold there are ten rules to steer the development:

(1) people make the place: everyone from citizens (alone or in groups), investors, businesses, municipal services (eg. for education or public housing) is invited to participate in designing Oosterwold;

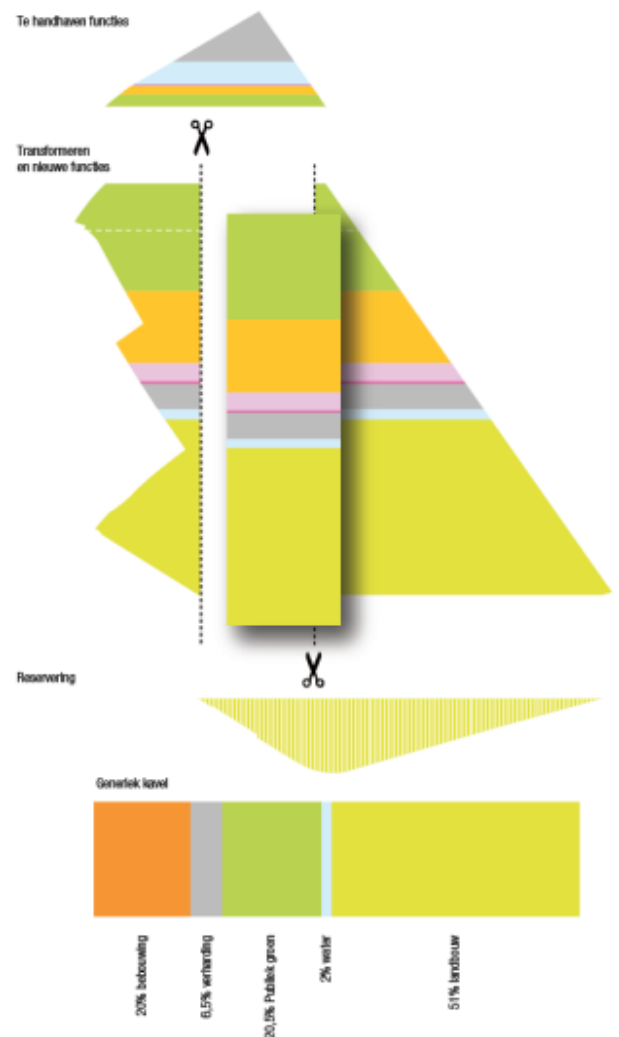
(2) there is a free choice of lots: plot location and shape are free of choice, limited only by the availability of land and the selling price; this freedom of choice is expected to create a rich diversity in Oosterwold;

(3) there is a generic plot with fixed land-use: for the area as a whole, certain percentages for the spatial use have been set and translated to be kept at the level of each individual plot as follows: 20% built land, 6,5% hard infrastructure, 20,5% public green, 2% water, 51% (urban) agriculture;



*Figure 9: Example of one plot design*

Source: Gemeente Almere and MVRDV, 2009.



*Figure 10: The land-use of the whole development area translated to the generic plot*

Source: Gemeente Almere and MVRDV, 2009.

(4) specific plots have a variable land-use: four other plot types (the Water plot, the Farming plot, the Green plot and an Urban plot) can be used in specific locations with functions that differ from the generic plots:

- the Green plot permits a larger green area and less construction than the generic plot; by using this, it is expected that a qualitative

transformation is realised of the existing forests, the current ecological structures can expand and the Eemvallei is reinterpreted, aiming to realise a robust contiguous landscape structure in Oosterwold; the land use consists of 6% built land, 2% hard infrastructure, 89.5% public green and 2.5% water;

- the Agricultural plot is suitable for larger agricultural plots and its land use consists of 7% built land, 2% hard infrastructure, 1.5% public green, 1.5% water and 88% (urban) agriculture;

(5) the design of buildings is free of choice (taking into consideration the health and safety regulation and a Floor Area Ratio of 0.5 – for a higher density, the initiator must compensate with public green and/or agriculture);

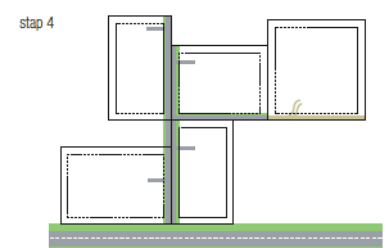
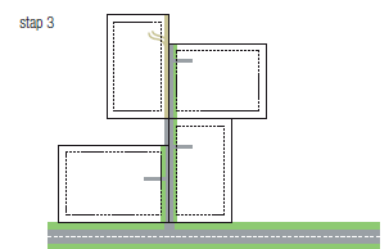
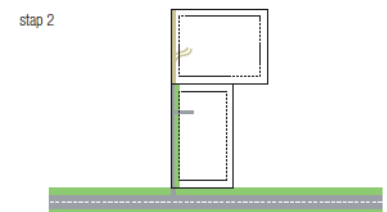
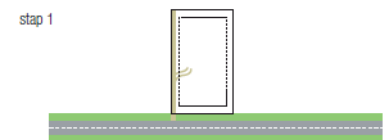
(6) infrastructure provision is made by the initiators (except for the main infrastructure consisting of national roads, provincial roads, polder roads and canals which is and remains a responsibility of the public authorities); several initiators can collaborate in the construction and management of roads and water drainage; the municipality proposes that roads (and the water infrastructure) is developed in steps as follows:

step 1: a main road is constructed;

step 2: each initiator establishes a parcel route on one side of his or her lot as part of the infrastructure of the area, which can initially be for own use (a sand pad and / or of semi-hard materials);

step 3: each initiator connects his part of the parcel road to an already existing part, and makes it possible for a next initiator to build on it;

step 4: the road networks develops according to the principle of upscaling;



**Figure 11: Steps for infrastructure provision**

Source: Gemeente Almere and MVRDV, 2009.

(7) Oosterwold is green: more than two-thirds of Oosterwold's surface will be green which will add ecological qualities to the area, on the area being room for many types of green, such as agriculture, forest, nature, recreational areas and vegetable and ornamental gardens; there is a



distinction between private green (private gardens) and public green (often linked to the public road), in both cases being the property of the initiator, who takes the green into the development of the lot and who also does the management;

- (1) Parks and playgrounds
- (2) Green along roads and (cycling) paths
- (3) Transformation of existing forest



**Figure 12: Examples of green surfaces**

Source: Gemeente Almere and MVRDV, 2009.

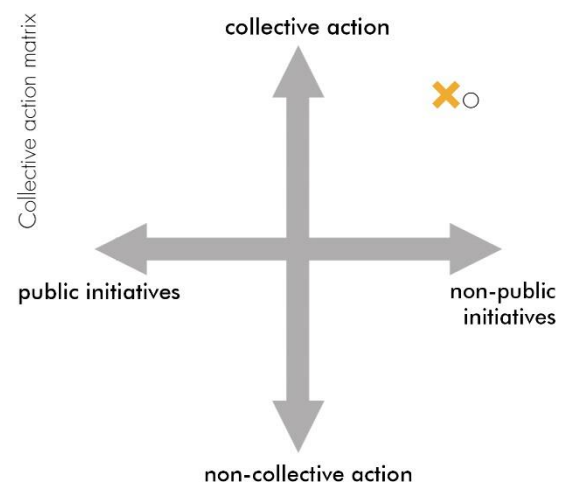
(8) plots are self-reliant: each initiator contributes to and bears responsibility - individually or together with others - for water management, waste water treatment and energy supply;

9) every plot development is financially self-reliant: they will be realised without subsidy;

(10) public investments are subsequent: the municipality will invest and create public facilities only when there are enough users in the area<sup>147</sup>. For instance, if the area will require schools, when there is a certain number of kids in the area, the municipality will provide them as this represent a task of the local government<sup>148</sup>.

### Type of initiatives

The aim for the organic development of Oosterwold is to become a site developed through collective action where non-public initiatives come to the area and to be situated in the first quadrant of the *Collective action matrix*. The municipality designed an open-ended development strategy and further invited citizens (or groups of citizens) to shape the structure and functions of the area by setting up



<sup>147</sup> Gemeente Almere & Gemeente Zeewolde, 2013, pp. 44-54;

<sup>148</sup> Source 1;



projects on a plot level<sup>149</sup>. By working together, it is expected that the initiators shape the space in which they live.

*Goals/objectives for collective action (individual per actor and general for the project)*

The general goal is to develop Oosterwold into a green residential and work area, the development being expected to unfold from the range of initiatives that will be realized in the area<sup>150</sup>. The common goal for both the initiators and the Municipality is to shape the space. This will possibly result in a diverse space since initiators can freely choose the plot location, size and form of plots and have a great freedom in what they build.

For this case, the individual goals analyzed are those of public parties (the two municipalities), the commercial developers, the civil initiators and the farmers, as they represent the main stakeholders.

The municipalities have both a policy and financial interest in the location. While their policy interest refers to keeping/ steering a good spatial planning, their financial interest refers to the stability of the development, not wishing to contribute with extra money from the government. Moreover, the municipalities are only going to invest when they are sure that the (group of) initiators are willing to contribute to the operating grant.

Initiators, in general, have as a goal to realize their own ambitions by taking advantage of the freedom Oosterwold offers. Even though they cannot develop big residential plans, commercial developers can come to Oosterwold and develop individual plots for (a group of) present or future clients, their individual goal being to make a profit for themselves or investors. Furthermore, commercial developers in general are interested in "selling" an innovative "product": in the case of Oosterwold this being represented by offering a place to work and/or live in an innovative type of development which offers an interesting living location and/or interesting buildings.

The present landowners in the area before the development has started can sell their land or develop themselves. The farmers can also choose to continue their activities in the area or to sell their land.

Civil initiators can acquire land, their interest lying in taking advantage of the freedom that Oosterwold offers, but also in creating a neighborhood, which "is more than simply an aggregation of dwellings and other local amenities"<sup>151</sup>. Initiators chose Oosterwold with an interest in living and working in a green environment, which might be considered as 'alternative' by some standards, up to

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<sup>149</sup> Rauws, 2016, p. 347;

<sup>150</sup> Rauws, 2016, p. 353;

<sup>151</sup> Forrest, R., 2012, p. 313;

this point, most of the built constructions representing housing initiatives, some of their inhabitants also working from home.

### *Contribution to collective action by each actor*

The government only set the framework for development and then invited private parties to collaborate in developing the area. The local government received an assignment from the National Government to make a strategy for the area to support 15,000 houses and 26,000 (local) jobs, as both Amsterdam and Utrecht need 140,000 houses and the area is connected to both cities. Even though the local government is the initiator of Oosterwold, there was also an interest from private developers to develop this new area, as some of them own land in the area, moreover having a demand for new housing<sup>152</sup>.

As public parties only contributed by giving the direction of the new development, it is the private parties who have the greatest involvement into the process. Initiators contribute to the non-public collaboration by working together towards the same goal of developing Oosterwold into a green residential and work area. Individuals, groups of individuals and commercial parties have the same goal to benefit from a good living environment themselves or to provide this for their clients. The initiators who come to Oosterwold have a strong saying in how the future development will be shaped and they can even influence the planning process and/or the rules of the future development.

Once they started to build in the area, people collaborated to build the infrastructure. There is a distinction between *main infrastructure* and *plan related infrastructure*, the main infrastructure being provided by the municipality; each individual party who wishes to develop in the area must contribute to an *infrastructure fund* for Oosterwold and the municipality will provide the main infrastructure with the money that come from this fund; however, the major part of the infrastructure – the plan related infrastructure, has to be provided by the inhabitants<sup>153</sup>. At the moment the initiators go to a third party to build and maintain their roads): however, one solution is that the municipality takes responsibility if the initiators ask for it<sup>154</sup>. Moreover, initiators chose to work together in a collaboration to face different challenges or to benefit from situations. For instance, inhabitants of EcoParkHof collaborated when it came to purchasing building materials for their individual households, as they would have a discount if a lot of people decide for the same products. Collaboration was facilitated by knowledge sharing among residents for handling similar issues or because some residents had a professional background in certain domains, which helped handling certain aspects (for instance, there was someone working in a bank who held knowledge on contracts, this helping when it came to handle the permits) (Source 3). When they are

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<sup>152</sup> Source 4;

<sup>153</sup> Source 4;

<sup>154</sup> Source 4;

considering if they should get involved regarding certain aspects, some of the residents of Oosterwold are considering the time and energy they have to invest and what they receive in return as a benefit<sup>155</sup>.

Even though *commercial parties* wish to quickly develop and make a profit, being constrained by a long-run 'break-even constraint'<sup>156</sup>, along with *cooperatives*, they can play a strong role into the process of a collaboration as they bring more people all at once into the area. The 'newcomers' can be integrated into the group of Oosterwold and/or form sub-groups after they selected and bought a plot into the area or beforehand, sometimes being put through a selection process. Once they are integrated into the neighborhood, they contribute to the collective process.

At the global level of the area, there is expected that initiatives collaborate with one another, the municipality helping with this, by putting people in contact who might benefit from each other<sup>157</sup>. In the case of the residential cooperative *Diamondiaal*, they are looking forward to cooperate with the other initiative on the site and to connect people, in order to facilitate this, they are willing to make a community center with an open door policy<sup>158</sup>.

In the case of *Ecoparkhof*, it was the architect being put in charge of the project who organized various meetings to have discussions regarding the future development, but there was no selection process, the rule of 'the first who comes is the first served'. On the other hand, in the case of the residential cooperative *Diamondiaal*, which is in the process of developing a sustainable and circular community in Almere to provide affordable social housing combined with social enterprising opportunities, there is a selection process to "give everyone a fair chance to apply" which entails a period to formally apply and motivate why one would wish to live and work there, the criteria for selection being your passion for the vision that Diamondiaal has (e.g.: a green and circular village) or what benefits could the village bring to you (e.g.: reuniting with your family) or vice versa – what one could add to the village (e.g.: adding some cultural heritage to the village)<sup>159</sup>. The cooperation wishes to be creative about it, therefore it will give the people the possibility to not only apply through a letter or an email, but also through a SMS or a video message<sup>160</sup>.

#### Interventions and incentives

The local government doesn't wish to intervene into the process of developing Oosterwold, unless there is demand for it<sup>161</sup>. One of the situations in which the

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<sup>155</sup> Source 3;

<sup>156</sup> Andersson & Moroni, 2014, p. 3;

<sup>157</sup> Source 1;

<sup>158</sup> Source 2;

<sup>159</sup> Source 2;

<sup>160</sup> Source 2;

<sup>161</sup> Source 1; Source 4;

municipality might intervene is to internalise the negative externality that could lead to vacant plots and inefficient land use on less desirable locations which will reduce the freedom in choices of plot size or location, even though, for some public goods as sanitation where it might result in an over-production of a public good, the municipalities do not wish to intervene and impose communal provision of this facility<sup>162</sup>. The government only directs the vision, the game rules, the basic structures and the planning measures, while it is the initiator who takes care of planning, land positions, the preparation for construction and realization<sup>163</sup>.

#### Sharing risks/distributing value

Opposed to a traditional way of developing an area in the Netherlands, the public body does not invest or share any risk. The initiators are the ones who take the risks, but who also capture the value. It can be said that the two municipalities capture value as the new development improves the city's tax base and attractiveness.

However, as the municipality also invests in the site, they have planned a two way cost recovery system: by selling the land as unserviced or partially serviced land and then there is the contribution to the cost fund to provide the main infrastructure<sup>164</sup>.

Apart from the financial risks, risks come from negative externalities and the provision of public goods. Developing organically brings high uncertainty about the location, the time and the content of the future development<sup>165</sup>. Moreover, negative externalities result from the freedom within organic development itself that could lead to vacant plots and inefficient land use on less desirable locations. Public goods are intended to be developed by the initiators themselves, individually or in a collaboration and for their provision some challenges arise that can be translated into risks taken by the initiators: public goods might be over and/or under-produced; high costs are faced by the initiators for providing public goods and research (especially if they decide to work individually); initiators need to organize themselves (into groups) in order to communicate with utility organizations with which a conflict might arise because they wish to know beforehand the route of the main cables and tubes before connecting each individual plot (inconvenience comes from the fact that the future plots are not predetermined yet and the development has a dispersed character - up to this point at least); regarding the common roads, the initiators experience challenges with risks and accountability in case of an accident because landowners of abutting plots could personally be held responsible for hazards and damages.

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<sup>162</sup> Source 1;

<sup>163</sup> De Nood, nd;

<sup>164</sup> Source 4;

<sup>165</sup> Source 1;

## CPR management

If the principles of Ostrom are followed, individuals will be motivated to replicate the institutions over time and sustain the CPR to which they are related.

As it is a greenfield development, it was not challenging to set some clear boundaries of the new development, in this way being clearly socially and geographically defined who are the individuals/households who are part of the group, this being in line with Ostrom's principle 1.

In the Netherlands there has been a long discussion about the housing industry and the dominance by the development industry, who builds in a traditional way (Source 4). In the case of Oosterwold, a decision was taken to develop in an organic manner and to find an alternative to the traditional way of developing. The organic development in Oosterwold pursues imposing minimum external control and instead aims to give the people the possibility to self-organize and to create their own institutions of self-government. A high number of initiators chose already to come to Oosterwold, seeing a good balance between the costs and the benefits. Thus the case-study follows the second principle of Ostrom (good fitting rules) and each of its two parts (a proportionate relationship between the assignment of benefits and costs and conforming the rules to local conditions).

The possibility to participate in modifying the operational rules (principle 3) is given to the individuals living in Oosterwold, collective solutions being established to deal with challenges concerning institutions, common costs, and the liability of replacing the urban planning from the government<sup>166</sup>. Initially, a simple list was made by the local government for landowners to comply with when developing their land, but the list is constantly under revision, at the same time some of the initiators complaining that the changing rules of the game frustrates them as they have to rethink and change their proposal<sup>167</sup>, moreover, feeling that the rules are contradictory, still imposing control and are generally unclear. On the other hand, one of the initiators considers Oosterwold to be a big experiment, where you have to invent the rules along the way<sup>168</sup>.

Moreover, even though for this development the vision is to leave to the initiators how they wish to organize, a barrier might come from the fact that the local government is trying to use regulation and formal organization to internalize certain negative externalities such as free-rider behaviour (that happens when initiators do not wish to pay for public goods) and inefficient land use (that happens if more undesirable plots of land remain vacant). On the other hand, if there is any issue with which the inhabitants do not agree, they can start a petition to go to the

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<sup>166</sup> Source 4;

<sup>167</sup> Source 2;

<sup>168</sup> Source 2;

municipality, which has been working good up to this point, one of the issues solved in this way being the name of the streets<sup>169</sup>.

Up to this point, it is not clear if individuals who are local appropriators or are accountable to them are enforcing the rules (principle 4), but the local government set up an advisory committee and hired an area director to lead the development in the right direction. It cannot be said if in the future the initiators will still comply to the rules or if these rules will change drastically, but up to this point they follow them, coming to live/work in this area being a choice that one can make, knowing that there are certain rules to follow. Ostrom<sup>170</sup> argues that arguing to rules ex ante is an easy commitment to make, and actually following them is the significant accomplishment.

Graduating sanctions are applied in case operational rules are not followed such as: not granting the building permit or taking issues to court if the principles of Oosterwold are not followed (principle 5).

The local government encourages that the parties form collectives and/or their own institutions (principle 7), but even though they are permitted to do this, some of the initiators complain about this necessity to form collectives, in their view this limiting their individual freedom.

The initiators have regular meetings, but they are also part of a Facebook group and a whatsapp group where issues are discussed and conflicts are solved, this being in line with Ostrom's sixth principle. However, some of the initiators sees participation in this process only attractive if they are directly concerned or as long as the benefits overcome the time and energy invested into the process by either a direct benefit such as a value increase to their property or an indirect one such as improving the living environment<sup>171</sup>.

A barrier comes from nesting the enterprises (principle 8). Even though the public parties 'promise' a lot of freedom in Oosterwold, the parties who develop there complain that they have to compromise and follow many rules in order to develop there.

#### List of sources from the interviews

Source 1: Michel Cossee, urban economist at the municipality of Almere, involved in the Oosterwold initiative

Source 2: Amal Abbass-Saal, representative of Wooncoöperatie (living cooperation) Diamondiaal, an initiative of Inspiratie Inc. (non-profit organization)

Source 3: Eloïne Kindt, inhabitant of Oosterwold

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<sup>169</sup> Source 3;

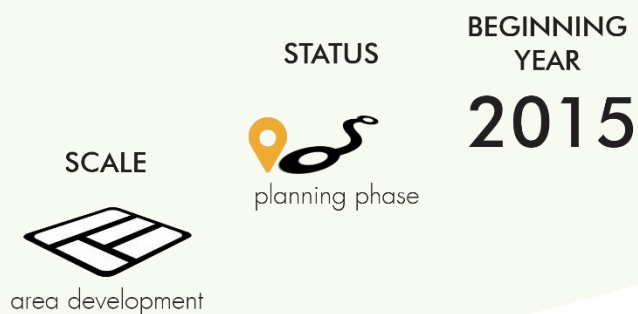
<sup>170</sup> 1990, p. 93;

<sup>171</sup> Source 3;

Source 4: Erwin van der Krabben, professor at Radboud University, consultant/  
adviser for the municipality of Almere



## 4c. Tatelaar and Hengelder



Context: transformation due to infrastructural changes and decreasing viability

Land strategy: Urban land readjustment

Location: east side of the city of Zevenaar, near the highway A12

### PART I. OVERVIEW

#### The land - site description

Spreading on 18 hectares, Tatelaar represents the western part of Zevenaar's business park whose mostly large scale retail market businesses are scattered throughout the area and which deals with relatively high vacancy rates and several deteriorating buildings and public domains. Furthermore, the site would lose direct access to the A12 highway due to an infrastructure readjustment, reducing the viability of the many (highway-benefiting) enterprises in Tatelaar. On the other hand, Hengelder, the 66 hectares eastern part of the area, will get a direct access point to the A12 highway and will become a major gateway to Zevenaar, this giving a perfect opportunity to land and business owners to relocate their activity into a compact area designed to sustain their activity.





### The actors

The land ownership in both areas is fragmented, with a great variety of stakeholders involved, and mostly including companies from different sectors spread across the sites.



*Figure 13: Land division and stakeholders in Tatelaar and Hengelder*  
Source: Jansen, F., 2016, p. 41.

Apart from the landowners, there are other actors involved in the process, who can be placed into categories as follows:

- small-scale businesses focused on consumers in Tatelaar who would have to move to Hengelder
- larger-scale businesses focused on trade and industry in Hengelder, the municipality's interest being that they redevelop
- Other businesses who might be interested to locate in Hengelder
- Land-owners in Hengelder, some of whom have to sale in order to make space for the new road infrastructure
- The province of Gelderland as it owns the regional infrastructure and will realise the redevelopment of the infrastructure
- The municipality of Zevenaar as it owns the local infrastructure, moreover wishing to facilitate a good business climate and to create an attractive entrance to the city of Zevenaar

- Participants in the Dutch pilot program *Urban Land Readjustment* (ULR) (Province of Gelderland, Zevenaar, Radboud University, Kadaster, and Het Noordzuiden)
- Oost NV, a regional development company who acts as a third party: communicates with the existing businesses in Hengelder and creates the business plan, being also interested in investing in the new area

## PART II. ANALYSIS

### The area initiator

A changing infrastructural situation could affect Tatelaar and Hengelder's business. The infrastructure readjustment is a public initiative to facilitate a better mobility on a regional, national and international level, as the A15 highway is connecting Rotterdam with Germany<sup>172</sup>. The changing accessibility gives a momentum for landowners and entrepreneurs to redevelop parts of Hengelder. In addition to the highway-adjustments, the construction of a new railway station in Hengelder is being considered by public authorities and a highway bike-lane to and from Arnhem has just been opened. Furthermore, a 15.000m<sup>2</sup> outlet-centre will be built close to the new highway exit. This will be done in an area called 7Poort, a municipal ground next to Hengelder that has only been partially developed into a business park for large-scale industries. These factors will improve the market conditions for new and existing industries in Hengelder, being an opportunity that both, land and property owners and the municipality, recognise.

The process of redeveloping the area was started by the business owners in the area. An access road will be closed due to a further extension of the regional highway infrastructure, thus resulting in reducing access to some private owner's premises, with a possible effect of harming their business. This determined them to go to the municipality and complain about the new situation. As a response, the municipality took advantage of the situation to develop a comprehensive transformation and restructuring strategy for the east side of the industrial park, as this would not only create a more favourable climate for the businesses, but would also bring along an attractive entrance to the city of Zevenaar.

For this area, there is a succession of 3 different projects:

1. The urban nodes project: focused on the same area and it was about developing a vision for the train station near to the connection with the highway; in the first phase it was only the municipality and province (no stakeholders);
2. The Urban Land Readjustment pilot programme: in this project, Het Noordzuiden was involved as a process manager; they looked into the *Coalition*

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<sup>172</sup> Source 1;

*of the Willing*: interested parties who are pioneers or people willing to think about the future;

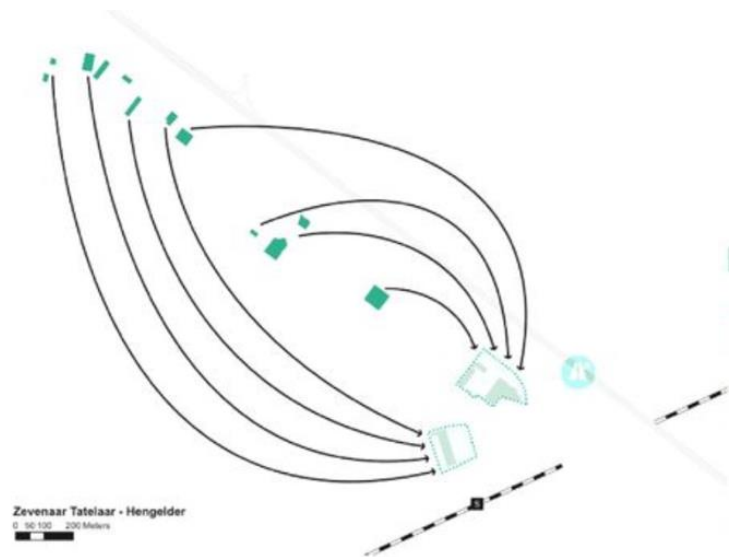
3. The business plan: Oost NV worked to make a business plan with the owners – they became the process manager; Het Noorduziden's role was to be a spatial planner / urban designer; in the third phase there were already more stakeholders involved<sup>173</sup>.

It was about five years to go from a broad vision towards a manufactured trading scheme and towards the business plan<sup>174</sup>.

The municipality's role is to facilitate the process. For this to happen it has installed a public development company, Oost NV to develop a business plan, negotiate with private owners to sell their land (when necessary) and offer knowledge and expertise. Moreover, it might be possible that the land and property owners could transfer their rights to this third party to facilitate the redistribution of rights<sup>175</sup>. The municipality might have to financially participate, as a quick-financial scan shows a negative business case for all alternative scenarios. Another possibility for the municipality to participate is by bringing in available land in exchange for land that will be used for infrastructure and/or new building plots which could be further sold<sup>176</sup>. The risks for private parties to invest alone in a redevelopment scheme are considered too large.

The development concept

Readjusting the land in Hengelder and relocating the business of Tatelaar to this area in two compact zones would greatly transform and improve the existing situation, so the area would become a business park<sup>i</sup>. From the structural vision of the municipality of Zevenaar, a number of



**Figure 14: ULR possible scheme for Tatelaar and Hengelder**  
**Source: Het Noordzuiden.**

<sup>173</sup> Source 2;

<sup>174</sup> Source 2;

<sup>175</sup> Van der Krabben, 2017, p. 11; Source 3;

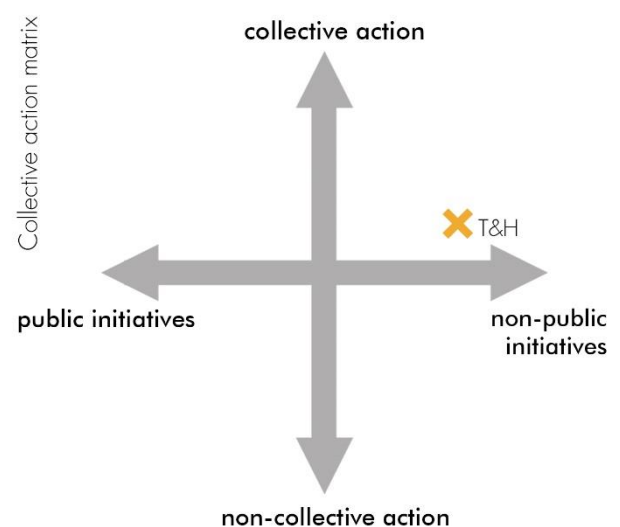
<sup>176</sup> Van der Krabben, 2017, p. 11;

main objectives come to the fore, focusing on retaining the established companies, but also on attracting new companies by creating a good business climate and a well-segmented supply for the business parks, without oversupply<sup>177</sup>.

Urban Land Readjustment for the two areas could also involve clustering of companies from the same sector/branch and giving the area a profile, an example being concentrating furniture stores on the new Hengelder exist, while established small-scale local companies can take over the location of the furniture stores in Tatelaar<sup>178</sup>. However, up to this point, the owners do not know that the process of redeveloping the area would imply urban land readjustment; this might happen in the future through more collaboration / cooperation<sup>179</sup>.

### Type of initiatives

The goal is that the area develops through collective action involving non-public initiatives and being placed on the first quadrant of the *Collective action matrix*. The initiative is still in the exploratory phase and the success is highly dependent on the willingness of the businesses to collaborate, the public body trying to facilitate and encourage this<sup>180</sup>. The case involves an infrastructure readjustment which, in the Netherlands, it is still very much of a governmental activity<sup>181</sup>, this motivating the quite strong involvement from the public actors.



### *Goals/objectives for collective action (individual per actor and general for the project)*

The general goal is to develop a more satisfactory solution for the infrastructure readjustment and to increase the area's quality. Through an Urban Land Readjustment (ULR) scheme realised comprehensively, the present ownership structure will be readjusted into a new grid, offering a higher plan quality, a higher added value for the city as a whole and more (financial) benefits to the land and property owners in that area<sup>182</sup>. A more organic approach would imply own

<sup>177</sup> Jansen, F., 2016, p. 40;

<sup>178</sup> Jansen, F., 2016, p. 40;

<sup>179</sup> Source 1;

<sup>180</sup> Source 1;

<sup>181</sup> Source 2;

<sup>182</sup> Van der Krabben, 2017, p. 14;

individual investment decisions of property owners which can be independent of what the other owners might do<sup>183</sup>.

The individual goals of private parties are to keep their plots with a good accessibility. The municipality's individual goal is to reconstruct the infrastructure in a more satisfactory manner, so it does not harm the businesses. In this way, a more advantageous situation would be created, resulting in a new vibrant business area, which would result not only in preserving the businesses, but in attracting new ones, a good living and investment environment being further maintained in Zevenaar. Moreover, through the ULR scheme the goal of the municipality is to have a sufficient and well-segmented supply of business parks with, with new opportunities for entrepreneurs and investors.

#### *Contribution to collective action by each actor*

All the parties work together towards the common goal of improving the area, however their individual goals have a high importance as well. The private parties are mainly represented by the business sector, whose main interest is to make a profit. The development of the whole area is important for them, as it affects the value of their property and their location becomes more appealing; however, there is a stronger interest of what happens on their plot comparing to what happens in the whole area<sup>184</sup>.

Up to this point, the involvement of the municipality was greater than the one of the private parties. The private parties came to express their unhappiness regarding the infrastructure restructuring, which triggered the municipality's thoughts to come up with a better solution, because it did not want to have an unpleased business sector. At the same time the public parties saw an opportunity and took a strategic decision to cluster all the businesses, as opposed to have them scattered in the area, which would bring benefits not only for the businesses, as they would be relocated in a more attractive space, but it will benefit to the city as a whole, as the area will become an attractive entrance for it. It was a public body, the municipality, who initiated the redevelopment process and who decided to experiment with ULR. However, the municipality wishes that in the future the private parties become more involved and that they also work together towards a common goal and not only towards individual goals.

Despite the fact that the statutory scheme for urban readjustment has been arranged for private parties to take the initiative, private parties do not yet take the initiative

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<sup>183</sup> Van der Krabben, 2017, p. 14;

<sup>184</sup> Source 1;

to apply urban readjustment, in the case of Tatelaar and Hengelder, the wishes of entrepreneurs not having been made transparent yet.

#### Interventions and incentives

Up to this point there are two funds available: (1) funding for the highway readjustment; (2) funding for area development and the businesses located there – trying to cover this with Ppm Oost and to use this as an incentive for the businesses there along with a local development fund which can be loaned from BNG at a very low interest rate; the pilot tried to see if it's possible to use that fund here<sup>185</sup>. However, both PPM Oost and the loan from BNG are loans and the money have to be paid back<sup>186</sup>.

Because of the complexity of the infrastructural and plot changes a (financial and revolving) contribution by public parties might be required. Financial incentives can be used, as a local (public) revolving fund can contribute to the financing of a partly unprofitable redevelopment under the following conditions: private parties co-finance; money is used to acquire land and property to market the land or property; the debt can be seen as a subordinated debt.

Up to this point, the municipality considers that it can only offer a small financial contribution<sup>187</sup>.

#### Sharing risks/distributing value

By using an urban land readjustment scheme, it is expected that a higher added value will be offered for the area and for the city as a whole. First of all, the value would be distributed among the businesses, their climate being improved, with the possibility of seeing an effect not only near the new exit of the highway, but in the entire business park: the accessibility and the economic functioning of the businesses (concentration of branches) could be improved, as well as the spatial quality, and the vacancy numbers could be reduced. Moreover, 7Poort could be quickly allocated, business and employment being preserved in the region and the area could be improved by investing the financial compensation for businesses near the old exit. What is more, the value might be distributed on the local economy, clustering the businesses possibly having a positive effect on it because of the increased competitiveness of the area.

The value of the plots is expected to rise in Hengelder due to an improved accessibility which means that the value will have to be captured. The value of the

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<sup>185</sup> Source 4;

<sup>186</sup> Source 1; Source 3; Source 4;

<sup>187</sup> Source 1;

plots near the current exit is expected to shrink, however the owners will be financially compensated.

However, the risks for private parties to invest in a redevelopment are considered large, the future benefits of a higher return on their investments being uncertain<sup>188</sup>. It is also preferable that one big private party invests in the redevelopment, which can further sell or rent plots, as its capital is bigger and it would be more time efficient (time is important for the infrastructure readjustment)<sup>189</sup>.

Compared to active land policy, by using an ULR strategy, the municipality shifts from a position as an investor, however it might still have to offer some financial support<sup>190</sup> or to facilitate access to public revolving financial means to loan the necessary money to invest<sup>191</sup>, since the municipality can only take a small risk<sup>192</sup>. Moreover, up to this point, entrepreneurs can make use of PPM Oost, a development company who activates in the province to loan money or make use of their knowledge, expertise and network.

#### CPR management

Apart from tracing some geographical boundaries of the area part of the ULR scheme, when the pilot project was set out, a coalition of the willing was formed with the main stakeholders in the area who were willing to think about the future and to invest in the area<sup>193</sup>. A process of natural selection followed that filtered the involved stakeholders, in the end only the owners who wanted to participate sitting at the table<sup>194</sup> and setting the social boundaries to define who are the parties who are part of the group. This represents one of the success factors and refers to Ostrom's first principle for managing a common: clear group boundaries. However, it remains to be seen if this group will function as these parties represent private businesses who might find themselves in a competitive state and decide to act against one another.

As the existing owners in the area are considering the costs of redeveloping too high in comparison to the benefits, waiting for the public party to offer an incentive, the first part of the second principle of Ostrom (good fitting rules) that refers to a relatively proportionate relationship between the assignment of benefits and of costs is not yet followed. However, the rules concerned conform to local conditions, urban land readjustment being seen as the best land strategy to be used in this context

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<sup>188</sup> Van der Krabben, 2017, p. 15;

<sup>189</sup> Source 3;

<sup>190</sup> Van der Krabben, 2017, p. 15;

<sup>191</sup> Source 4;

<sup>192</sup> Source 1;

<sup>193</sup> Source 2;

<sup>194</sup> Source 2;

(there isn't enough money on the public side so that the area is developed in a traditional manner and the new development would involve a road readjustment, therefore the area could not be redeveloped organically).

A third party, hired by the public body, negotiates with the involved businesses, mostly about financial issues, in this way the private parties being also able to express their thoughts about how the process is going on or to modify its rules (principle 3: collective-choice arrangements). Moreover, the involved third party facilitates an arena to resolve conflict among the owners or between owners and officials (principle 6: conflict-resolution mechanisms). Examples include discussions held with the owners of a residential estate and owners of buildings where roads are planned who do not wish to move out<sup>195</sup>, the third party having a constant dialogue between the owners and representatives of the municipality. However, this third party does not monitor the rule conformance (principle 4) and there aren't any graduated sanctions to be applied to those stakeholders who refuse to collaborate in the scheme or who violate the operational rules (principle 5).

The owners are encouraged by the municipality to organize themselves (principle 7: minimal recognition of rights to organize). The coalition of the willing represents one form of organization where private parties sit together to work towards a common goal or to solve conflicts, moreover, a third party being hired to negotiate with the businesses and to act as a mediator (principle 6). Even though the formation of the coalition was externally encouraged, the municipality being the one who initiated it, it is encouraged that private parties take more initiative. Moreover, the municipality is open to suggestions and is trying to get in contact with existing organizations, such as LINDUS, a cooperation of the businesses of six municipalities in the region (therefore a group already formed) to try getting them involved into the area or to find out their opinion<sup>196</sup>.

Since urban land readjustment is not a legal instrument (yet) in The Netherlands, this represents a barrier (principle 8: nested enterprises), in the case of Zevenaar the ULR scheme can only be done by private law. Also, more flexibility in spatial planning would help to facilitate the process and reduce the implementation time, as in the case of Zevenaar the necessity of changing the zoning plan took a great deal of time and represented a barrier as time is of great importance for the infrastructure situation<sup>197</sup>.

#### List of sources from the interviews

Source 1: Gustav Pol, representative of municipality of Zevenaar

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<sup>195</sup> Source 4;

<sup>196</sup> Source 1;

<sup>197</sup> Source 1;



Source 2: Edwin van Uum, representative of Het Noordzuiden (process management office involved as a third party in discussing with the businesses and the formation of the *coalition of the willing*)

Source 3: Frank Geerlings, representative of Oost NV (third party who discusses with the businesses)

Source 4: Gerard Wieland, representative of the province of Gelderland



# 5

Comparison  
of case-studies

This chapter summarizes the findings and lessons learned from analyzing the three case studies.

## 5a. Findings

A comparison has been made between the three case-studies to show the contextual similarities and differences which have an impact on how the land strategies are implemented and on how the collective action problem is dealt on each of the area development.

### Contextual conditions

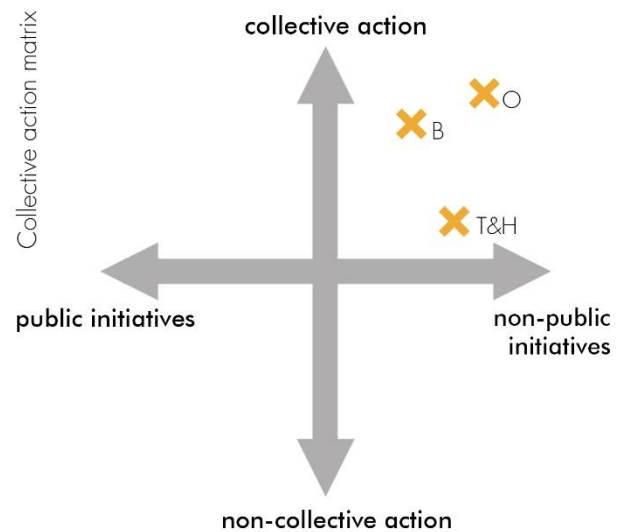
While Buiksloterham is a former site of heavy industry fallen into disuse and Tatelaar & Hengelder are two existing business sites with relatively high vacancy rates and deteriorating buildings and public domain, Oosterwold represents a greenfield development to extend the urban area.

All the three case-studies present a high-number of actors that are involved into the process. If Buiksloterham presents quite an equilibrated balance between parties that have a commercial interest and the ones who simply wish to build a house in the area, in the case of Oosterwold the scale is inclined in favor of the latter. In Tatelaar and Hengelder's case, there is only one landowner who lives in the area, the others representing small-scale and large-scale businesses having commercial interests.

In all the three case-studies the municipality plays a facilitative role for the process, and it develops strategies and guidelines or installs private parties to offer support and knowledge or negotiate with private parties (as it is the case with Tatelaar and Hengelder). Moreover, in all three case-studies, the initiator of the process of developing the areas was represented by the municipalities, thus the initiator is public.

If the initiation of two of the case studies, Buiksloterham and Oosterwold, was driven by the demand for more housing and work spaces, in the case of Tatelaar and Hengelder, the dissatisfaction caused by the change in the infrastructure situation, to which the poor quality of the urban environment it is added, was what contributed to triggering the desire to develop the area. All three public initiators saw an opportunity in these sites.

By placing the case studies on the *Collective action matrix* it can be observed that all of the case-studies are developed through collective action, involving non-public initiatives, the private sector having a more important role in the process. All three case-studies were placed in the first quadrant of the matrix. On the axis characterizing the initiatives present in each area, all three cases obtained positions near the 'non-public initiatives' end of the axis – Buiksloterham has been placed slightly to the left as the municipality, a public party, is also an initiator in the area (it owns land into the area and will act as a developer). On the axis characterizing the degree of the collective action, Oosterwold gained the highest position as it represents a development where all the initiatives have to truly collaborate in order to successfully develop the area. Buiksloterham also gained a relatively high position, however lower than Oosterwold, as there are still some actors who do not contribute to the collective action, free-riding into the area (they were existing into the site before the development started). The case of Tatelaar & Hengelder has been placed lowest on the matrix as even though the actors on the site collaborated and worked together for some issues on the site, as they are commercial parties where their actions are dictated by profits and sometimes they find themselves in a competition, it results in a low collaboration, the collective action being low.



While the initiators of Oosterwold form a highly homogenous group, being mainly represented by future residents who wish to live in the new urban area, and the initiators of Tatelaar & Hengelder represent mostly commercial parties, forming also a homogenous group, in the case of Buiksloterham, the initiators come from multiple categories, being residents, commercial parties, developers, or non-governmental actors.

While both Buiksloterham and Oosterwold represent large development areas and thus the group size is large with a high number of actors involved into the process, in the case of Tatelaar and Hengelder, the area is less large and thus the size of the group is smaller, the group size being medium.

While for Buiksloterham and Oosterwold the selected land strategy to develop the two new areas is organic development, for Tatelaar & Hengelder the selected land strategy is urban land readjustment – the latter involves also a road readjustment which makes using organic development as a land strategy as not viable.

The contextual conditions are summarized in the table below:

	BUIKSLOTTERHAM	OOSTERWOLD	TATELAAR AND HENGELDER
LAND	brownfield	greenfield	existing built location
ACTORS	mostly private parties (Business owners, individuals, private developers)	mostly private parties [(groups of) individuals, private developers], NGO - Diamondiaal	mostly business owners
MUNICIPALITY'S ROLE	facilitative, develops strategies and guidelines	facilitative, develops strategies and guidelines	facilitative, develops strategies and guidelines, installs third private party to offer support and knowledge or negotiate with private parties
INITIATOR	public	public	public
DRIVEN BY	demand for more housing and work spaces	demand for more housing and work spaces  (regional scale)	dissatisfaction caused by the change in the infrastructure situation  AND  the poor quality of the urban environment
INITIATIVES	non-public initiatives through collective action	non-public initiatives through collective action	non-public initiatives through collective action
GROUP CONSISTENCY	heterogeneous	homogeneous	homogeneous
GROUP SIZE	large	large	medium
LAND STRATEGY	organic development	organic development	urban land readjustment

**Table 2: Case-studies contextual conditions**

Source: author of this paper

## CPR management

In order to observe how the collective action problem has been dealt with, the selected case-studies were compared against Elinor Ostrom's institutional design principles that help to establish good governance over the commons. If any of Ostrom's principles were present in the case-study then it represented a success factor, whereas one principle missing represented a barrier in dealing with the collective action problem.

For all the case-studies, a great deal of Ostrom's principles are being used to result in success factors of the developments.

The table below summarizes what design principles were present in each case-study. It can be observed that, apart from the last principle, the two cases, where organic development was chosen as a land strategy, are in line with Ostrom's principles. On the other hand, in the case of Tatelaar and Hengelder half of the principles are not followed.

Buiksloterham = B; Oosterwold = O; Tatelaar&Hengelder = T&H		
Design principle	Present in case-study:	Not present in case-study:
P1: Clearly defined boundaries	B, O, T&H	
P2: Congruence between appropriation and provision rules and local conditions		
(a) a relatively proportionate relationship between the assignment of benefits and of costs	B, O	T&H
(b) the rules concerned conform to local conditions	B, O, T&H	
P3: Collective-choice arrangements	B, O, T&H	
P4: Monitoring	B, O	T&H
P5: Graduated sanctions	B, O	T&H
P6: Conflict-resolution mechanisms	B, O, T&H	
P7: Minimal recognition of rights to organize	B, O, T&H	
P8: Nested enterprises		B, O, T&H

**Table 3: Ostrom's principles followed in case-studies**

Source: author of this paper



Apart from Ostrom's principles, the case-studies have revealed some other requirements which can be translated to other principles for managing the (urban) commons. Some of these requirements have not been yet implemented in the case-studies, however they have been signaled as missing by the initiators or other participants in the schemes.

Buiksloterham = B; Oosterwold = O; Tatelaar&Hengelder = T&H		
Design principle	Signaled as missing in case-study:	Present in case-study:
P9: Transparency for the parties involved	T&H	B, O
P10: Motivation to participate in the scheme		
- Financial incentives from public parties	T&H	B
- Benefits for the first initiators	B	
P12: Specific roles need to be played by the involved parties to sustain the process		B, O, T&H

**Table 4: Other requirements/design principles for CPR management**  
**Source:** author of this paper



# 6

## Conclusion and discussion

This chapter presents the conclusions, drawn from the research, thus it summarizes the findings of the investigation. It is followed by a discussion and further recommendations.

## 6a. Conclusion

The conclusion is a synthesis of theory and empiry and represents the answer of the question that this research aimed to answer: *To what extent the collective action problem can be dealt with in new urban areas developed through innovative land strategies that imply a collaborative process?* which was divided into three sub-questions.

1. What does the real estate development process of new innovative land strategies implies?

The real estate development process on new innovative strategies implies similarities and differences comparing to the traditional comprehensive public-led approach.

First of all, the initiatives present on such area developments that use new, innovative land strategies are private, multiple stakeholders being involved into the process as opposed to only one public party involved into the process (as it is the case in the public-led approach).

The multiple stake-holding determines that the *collective action problem* arises, as each individual actor in the group may share the common interest with the other group members to collectively shape the urban space, however each have conflicting interests or dissatisfaction regarding associated costs. In the case of Tatelaar and Hengelder, as it is a business park where different commercial parties own land or share an interest, their conflicting interests comes from the competitiveness between the parts – as each one of them wishes to have a good position that will generate more customers in the future. In the other two cases, Buiksloterham and Oosterwold, it is more about the associated cost of being involved in the process, the participants talking about the time that they need to spend to reach a conclusion or an agreement.

Game theory presents the 'prisoner's dilemma' where even though it would be in the interests of both prisoners to cooperate, they end up not cooperating and thus resulting in a suboptimal outcome, as they see the advantages of free riding and fear the dangers of being taken for a ride. In this case, the main difference was observed between residents and commercial parties. In the interviews that were

conducted, residents have admitted that they or other neighbours were free riders in certain aspects which did not have a great impact on the whole area development (such as: naming one street) and they wished to be involved in more serious issues as their involvement affects and influences further their quality of living. When it comes to private parties it was noticed that collaboration is harder to achieve, private parties acting mostly only if they would make a profit which would come from adding value to their properties, but being mostly tempted to free ride.

The recent area developments presented in this study show that the possibility to own together the common parts has been offered to private parties as opposed to the public-led approach where it was the municipality who owned the common areas (e.g. streets) and common facilities (e.g. parks, schools), whilst building owners had occupancy rights over their individual plots. Urban commons are both subtractive and unsubtractive, and by implementing new innovative land strategies, their subtractivity can be excluded.

However, the municipalities still play a strong role into the process by being facilitators and developing a development vision and/or strategy. The case-studies show that in the case of Tatelaar and Hengelder the private parties wish for more involvement from the public parties – the local authority, especially in terms of financial support.

2. To what extent are Ostrom's design principles used to deal with the collective action problem in new urban areas developed using organic strategies or ULR?

Elinor Ostrom developed institutional design principles that help to establish good governance over common pool resources (some examples of CPRs being forests, oil fields and grazing lands). The institutional design principles determine self-regulating mechanisms within societies and allow for self-governance of the commons. The design rules proposed by Ostrom structure the social interaction of appropriators of the commons and condition their ability to discuss, decide on and monitor self-imposed constraints.

While most of the studies focus on natural resources in rural areas, the common pool resources also include man-made resources in urban environments which behold the name of 'urban commons' that are the subject to the same rivalry and free-rider problems.

The selected case-studies, because they are collective, act as common pool resources for which Elinor Ostrom developed institutional design principles that help to establish good governance over them. Each case-study has been analysed against these principles, this research presenting what principles can be identified

in each case. The conclusion is that the case-studies mostly follow Ostrom's principles.

Applying Ostrom's design principles on joint redevelopment initiatives show the importance of group boundaries and for the group to modify its rules. In all case-studies, different types of groups are formed, some of the initiatives containing more than one group which can have similar or different ambitions. The variety and number of groups per case-study is dependent mostly on the scale of the project and if the project contains a mix of functions. The case-studies represent big development areas with a clearly defined group whose participants live or/and work in the area and various smaller groups that focus on smaller portions of the area or represent a certain category from the area (for Buiksloterham: the self-builders, the association of businesses, etc.) or similar individual goals (in Oostwerwold which is a predominant residential area, there are different communities who pursue developing their own projects), but still work together for a common goal to develop the entire area in a final product with certain characteristics.

It was observed that in the case of Tatelaar and Hengelder half of Ostrom's principles are not followed (principle 2, principle 4, principle 5, principle 8) and no other mechanisms were identified to substitute these. As the development process of Tatelaar & Hengelder is progressing at a relatively slow pace, facing many difficulties, it is suggested to try following the principles that are currently not followed and see if the outcome is positive.

What stands out and could really be taken into consideration for future area developments and when creating future policies is that there is a need to better nest the enterprises (principle 8), the danger being that the system will be incomplete and may not endure over the long run if rules are established at one level without rules at the other levels. The Dutch case-studies present innovative development strategies which are still in an experimental stage in the Netherlands, without previous implementation, the stakeholders asking for more flexibility from the upper public authorities which would permit that the process goes faster. Not following this principle was seen as a barrier to the development process and in solving the collective action problem.

3. What other mechanisms are used to deal with the collective action problem in new urban areas developed using organic strategies or ULR?

### *Transparency for the parties involved*

It has been identified from the case-studies analysis that transparency for the parties involved is highly important for dealing with the collective action problem in new

urban areas developed through innovative land strategies that imply a collaborative process. In the case of Tatelaar and Henglder, up to this point, the participants are not aware that they are part of an ULR scheme which might come as another barrier in the development process. The other two case-studies show that sharing all the information to the parties involved brings a big plus to the table.

Some of the benefits of citizen participation to the planning process that the literature identifies are: credibility is built within the affected parties, public concerns and values are identified, consensus could be developed among the impacted parties, users and those who pay for the investment, better decisions are produced, creating a reservoir of good will which can carry over to future decisions and spirit of cooperation and trust between the agency and the public.

To this, another big advantage that adds up is reducing or completely eliminating the 'producer-consumer' gap in real estate development. When a real estate agent develops a residential area to be subsequently sold to future residents (the consumers), sometimes it does not see a benefit in investing in long-term place quality, even though this would be advantageous to subsequent occupiers and investors. However, if private parties take urban development into their own hands, by making use of innovative land-strategies as those presented in the case-studies, this gap is likely to be reduced or eliminated, and would have great positive results.

*Motivation to participate in the scheme:*

- *financial incentives from public parties*
- *benefits for the first initiators*

The case-studies showed that is possible that a high number of parties work together as long as they have an interest and they are motivated to participate. In the first two case-studies (Buiksloterham and Oosterwold), as the parties were really interested to locate themselves in the areas, they were willing to contribute and collaborate to successfully develop the areas. In the third case-study (Tatelaar and Hengelder) it can be seen that the parties are reluctant to collaboration, a possible reason for this being that they are all businesses who find themselves as competitive one with each other, however another reason is that they are already existing in the area, they have a financial interest, they know that it would be needed that they participate in the scheme and therefore wait for the Municipality to make a move.

As the case-study of Buiksloterham reveals, public parties granting financial incentives to participants to take part in such a scheme, represents a big plus. Not all parties are prepared to be involved in a scheme that implies a high risk that comes from its collective character. This can be observed in the case of Zevenaar where private parties wait for incentives to come from public parties.



Moreover, as it was observed through the case-study analysis, there is a possibility that private parties decide to put more funds and effort for their own land, deciding to invest less into the public space, where they could choose the cheapest materials or make other design decisions that could jeopardize the quality of the urban space. It remains to be seen if this is an issue that could be solved by public parties granting funds to private parties that need to be used in designing the public space as it was the case in designing the street of the self-builders in Buiksloterham, where the inhabitants of the street came up with a design that the public parties financed to be built.

Benefits for the first initiators who came to incubate the future development were also identified as a requirement in the case of Buiksloterham. First initiators into a new area development act as incubators for the future development and they are the ones who put their trust into the development, invest resources and attract others who join in afterwards into the process after some or all the difficult issues that come with a new development have been solved. In the case of Buiksloterham, the benefits for the first initiators consisted in lower land prices which considerably went up as the new area became highly attractive. However, in Buiksloterham the land is not owned, but it's leased for a period of time and this benefit is not seen that satisfactory for the initiators.

### *Specific roles need to be played by the involved parties to sustain the process*

The case-study analysis reveals that parties need to play different roles to sustain the process, otherwise there is the possibility that the scheme will collapse. Some of the roles identified were: the facilitator, the initiator, the mediator, the strategist.

Involving citizens in urban decision-making and planning processes is already a common practice, however a growing attention is paid to collective action, self-organization and the management of urban commons. When it comes to urban planning and design, through this study, it was observed that collective action through collaboration needs to be encouraged and sustained by public authorities by creating a favorable environment for it to develop. Thus, public authorities can shift from being a 'doer' to being a 'facilitator', acting as an assembler that seeks to ensure cohesion among different actors and tools. In the case-studies analysed through this research the roles of the facilitator, the strategist and the (area) initiator were played by the municipalities or other public parties involved into the process, whilst the mediator role was played by third parties hired by public parties to participate into the process. This solves the two hats dilemma, that the Dutch public parties wear, as municipalities will no longer have to act as both regulator, landowner, and even as a real estate developer – as it does in the traditional comprehensive planning.

However, it can be seen from the case-study analysis that, despite the fact that the public authorities facilitate using the two new innovative land strategies, the private parties are sometimes hard to convince to get involved into the process. As public parties do not actively participate in an area development and are increasingly taking a facilitating role, private parties are increasingly responsible for planning and implementing plans. However, they are not yet sufficiently accustomed to this redistribution of responsibilities in many situations and often take a wait and see approach, sometimes these private parties finding it difficult to come up with a plan themselves and registering with the municipality.

In ULR schemes, private parties are also reluctant to get involved as it concerns personal property with a relatively large value, or sometimes the landowners see no added value in readjustment because it will only become profitable in the longer term, and thus the private interest of development is not big enough to apply urban readjustment<sup>198</sup>. Moreover, sometimes in case of a ULR, where private parties highly depend on each other as they will have to come to a conclusive business case together, the mutual trust between parties is not always big enough<sup>199</sup>. The public parties could also act as a promoter or a facilitator to tackle these issues.

It is believed that public authorities would still need to have a strong implication into shaping the urban space since governments are able to apply a very long-term vision, which citizens and businesses often cannot<sup>200</sup>. Moreover, another argument for public authorities' involvement would be that, through their involvement, relatively powerless groups may see their interests served<sup>201</sup>. Van der Heijden<sup>202</sup> looks to the issue of keeping public authorities involved through another interesting lens: "it may be argued that societies are fully based on this role of governments, and over the centuries people have become so used to this role of governments that they do not question it anymore. A change of this institutional structure is almost unimaginable". From analysing the case-studies, it can be observed that the first argument for keeping public authorities involved is confirmed in the organic development case-studies where it is the municipalities who develop a vision for the new area development. In the case of Tatelaar and Hengelder, in developing a vision for developing the area, the major role was played by the participants in the pilot programme, being expected that in the future it is the private parties who will have the biggest involvement and public parties would only amend it so it would match the vision for development of the whole city. However, for the case of Tatelaar and Hengelder, as it involves an infrastructure readjustment of a

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<sup>198</sup> Jansen, F., 2016, p. 41;

<sup>199</sup> Jansen, F., 2016, p. 41;

<sup>200</sup> Deflem, M., 2008 cited in Jansen, F., 2016, p. 33;

<sup>201</sup> Skocpol, T., 1985 cited in Jansen, F., 2016, p. 33;

<sup>202</sup> 2016, p. 33;

motorway, the government would still need to be involved. Oosterwold is seen as very pioneering to have infrastructure not be seen in the public authorities' hands, however, even in this case, the main infrastructure is still in the hands of public authorities, whilst the private parties only build and maintain the plan-related infrastructure.

## 6b. Discussion

This thesis presents an investigation on three new urban areas developed through innovative land strategies that imply a collaborative process and how to deal with the collective action problem.

When describing the real-estate development process, the literature identified two models: (I) the event-based model which concentrates on the events or stages of the developments process, while seeking to link them to the drivers of development; (II) the role-based model, an alternative model which explores the relations between development actors. Each case-study has been analysed to highlight how the real-estate process undergo through the lens of the two theoretical methods, but also presenting the collective action and where they would stand on the *Collective action matrix* depending on the type of initiatives, the goals for collective action, the contribution to collective action by each actor and how the risks were shared and how the value was distributed. Moreover, each case-study has been compared against Ostrom's design principles for CPR management.

This research has made use of different research tools, that vary from reviewing the literature to conducting interviews and a case-study analysis, used in order to find an answer to the main research question and expose the two new innovative land-use strategies in spatial planning and how the collective action problem that results when using them can be dealt. The case studies present two new forms of developing the land, different from the one used in conventional development processes and showcase a visionary view upon urban initiatives, a view of shifting perceptions, by promoting the need for an intensive participation of private parties in shaping the space and future urban environments and how the collective action problem can be dealt and not to represent a barrier that stands in the way of using and applying these land strategies.

### Contribution to further development of theory

This study contributes to the theory on CPR management and how to deal with the collective problem. Not only that it has tested to what extent Ostrom's principles apply to urban CPRs, but it has also revealed some other requirements that the CPR should hold so that the CPR is sustained: transparency for the parties involved, motivation to participate in the scheme, specific roles that need to be played by

the involved parties to sustain the process (facilitator, area initiator – promoter, mediator, strategist).

Moreover, this research contributes to the field of spatial planning as it presents organic development and urban land readjustment, two new innovative land strategies, which do not hold a great deal of investigation and information in the existent (especially available in English) literature. Moreover, the existent literature on organic development presents small interventions, being little evidence on how does it work on a big scale of a whole urban area as it was presented in the two case-studies (Oosterwold and Buiksloterham).

#### Recommendations for praxis

As in the case of Tatelaar and Hengelder half of Ostrom's principles were not followed, the recommendation is to follow them so that the CPR is sustained. Moreover, when developing new policies, it is highly recommended to consider supporting the use of these innovative land strategies by amending the existing legislation to offer more planning flexibility, in this way the enterprises being nested (Ostrom's eight principle).

It is highly recommended that future parties who wish to develop new urban area using these two new innovative strategies, or other land strategies that imply a collaborative approach and the collective problem, to use this research as a reference on previous area developments from which they can learn lessons or obtain knowledge to be applied further. Future private parties (property owners, residents, retailers, companies and small developers) who plan to take charge of urban development for themselves can use this research to gain knowledge on the topic and even to know what to ask from the public parties when the process starts.

It is highly recommended that the role of the municipalities changes more and more from being them acting as developers to being only promoters, facilitators, and/ or strategists, roles that are required so that the CPR and area development is sustained. Public authorities could learn from this to further guide and/ or generate conditions which support owners-led and private-led development of land and co-management.

It is recommended that the new identified requirements that act as design principles are tested in other case-studies to test their generalizability in order to find out to what extent can they be translated to other area developments.

## Critical reflection on limits of own research, results and recommendations for future research

As it was acknowledged, the case studies were selected from a Dutch context and the researcher is not a speaker of Dutch language, and therefore it's possible that more data was available in Dutch and could not be investigated by the researcher as this data might have not come as a result to the search using keywords in English. Moreover, not speaking the native language limited the research in terms of the investigation as it might possible that more information could have been accessed in the interviews if the researcher would have spoken the native language.

This study looks into area developments that are in an incipient stage. This represents a limitation and it's highly recommended that these area developments are researched through the lens of the collective problem when they are in a more mature stage.

The research is also limited by being cross-sectional, studying the phenomenon at a particular time, the researcher being time constrained as it represents a research project undertaken for an academic course. A longitudinal element was introduced by analyzing the area development since the process has started, this being done through accessing already collected data or through recollections of the interviewees. It is highly recommended that these case-studies or the phenomenon present in other case-studies is researched longitudinally.

Game theoretical modelling for analysing and predicting the behaviour of actors in decision-making processes with respect to the development of land and property has been already researched, and I strongly believe that these case-studies represent a good selection for which I recommend that game-theoretical approaches are applied. I recommend this approach to further identify key strategic decisions when using the two new innovative land strategies (organic development and ULR) to develop new urban area developments and to show how the stakeholders are pay-backed for their chosen strategies that represent success factors or barriers in tackling the collective problem. Moreover, using game theoretica modelling could reveal the equilibrium in which all the involved players, represented by stakeholders, are best off and the collective problem is tackled.



# References





- Amsterdam Ferry Services & Map (n.d.). Accessed on 2<sup>nd</sup> April 2018 at: <http://www.amsterdamtips.com/tips/amsterdam-ferry-services.php>.
- Ansell, C. and Gash, A. (2008). 'Collaborative governance in theory and practice'. *Journal of Public Administration Research and Theory*, 18 (4), 543–71.
- Arnstein, S.A. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners*, 35 (4), 216–24.
- Avelino, F., Bosman, R., Frantzeskaki, N., Akerboom, S., Boontje, P., Hoffman, J., Paradies, G., Pel, B., Scholten, D. and Wittmayer, J. (2014). The (self-)governance of community energy: challenges & prospects. (Dutch Research Institute For Transitions (DRIFT) Practice brief No. PB 2014.01). Rotterdam.
- Bardach, E. and Kagan, R.A. (1982). *Going By the Book: The Problem of Regulatory Unreasonableness*. Philadelphia, PA: Temple University Press.
- Berkes, F. & Ross, H. (2013). Community resilience: Toward an integrated approach. *Soc. Nat. Resour.* 2013, 26, 5–20.
- Borch, C. & Kornberger, M. (2015). *Urban Commons. Rethinking the City*. New York: Routledge.
- Buitelaar, E. (2010). Cracks in the myth: Challenges to land policy in The Netherlands. *Journal of Economic and Social Geography*, 101, 349–356.
- Buitelaar, E., Galle, M., & Sorel, N. (2011). Plan-led planning systems in development-led practices: An empirical analysis into the (lack of) institutionalisation of planning law. *Environment and Planning A*, 43, 928–941.
- Buitelaar, E. & Bregman, A. (2016). Dutch land development institutions in the face of crisis: trembling pillars in the planners' paradise. *European Planning studies*, 24:7, 1281-1294.
- Buitelaar, E., Galle, M., Sorel, N. (2014). The public planning of private planning: an analysis of controlled spontaneity in the Netherlands. In Andersson, D. E. & Moroni, S. (Eds.), *Cities and Private Planning: Property rights, Entrepreneurship and Transaction Costs* (pp. 248-268). Northampton, MA: Edward Elgar Publishing, Inc.
- CEC. (1997). *The EU compendium of spatial planning systems and policies*. Luxembourg: European Commission.
- Cox, M., Arnold, G., Villamayor Tomás, S. (2010). A review of design principles for community-based natural resource management. *Ecology Soc.*, 15, 38.

Davis, G. (2002). 'Policy capacity and the future of governance', in G. David and M. Keating (eds.), *The Future of Governance*. St Leonards, New South Wales: Allen & Unwin, pp. 230–43.

Deflem, M. (2008). *Sociology of Law*. Cambridge: Cambridge University Press.

De Klerk, L. (1998), *Particuliere plannen. Denkbeelden en initiatieven van de stedelijke elite inzake de volkswoningbouw en de stedenbouw in Rotterdam 1860–1950*, Rotterdam, Netherlands: NAI Uitgevers.

De Klerk, L. (2008). *De modernisering van de stad, 1850-1914. De opkomst van de planmatige stadsontwikkeling in Nederland*. Rotterdam: NAI Uitgevers.

Deloitte. (2013). *Financiële situatie bij gemeentelijke grondbedrijven 2013*. Utrecht: Author.

De Nood, I. (n.d.). *Maak Oosterwold, landschap van initiatieven* [Make Oosterwold, landscape of initiatives]. Presentation of the Area director of Oosterwold for the follow group - first meeting.

De Wolff, H. (2002). *Stedelijke herstructurering en stedelijke herverkaveling*. *Bouwrecht*, 39, 1027–36.

De Wolff, H. (2004). *Urban land readjustment: establishing joint ownership as a new tool for urban regeneration in The Netherlands*. In Hagen, H. and Keles, R. (eds). *Old and New Land Tenure Rights in their Cultural Context*. Bern, Peter Lang AG, European Academic Publishers, 111–24.

Dietz, T., Ostrom, E., Stern, P.C. (2003). *The struggle to govern the commons*. *Science*, 302, 1907–1912.

Economies Of Scale. (n.d.). Read on 6<sup>th</sup> February 2018 at: <https://www.investopedia.com/terms/e/economiesofscale.asp>.

Eversole, R. (2010). 'Remaking participation'. *Community Development Journal*, 47 (1), 29–41.

Forrest, R. (2012). *Housing and Social Life*. Chapter in Clapham, D., Clark, W., Gibb, K. (ed.) (2012). *The SAGE Handbook of Housing Studies*. London: SAGE Publications Ltd.

Frej, A. (2001). *Business park and industrial development handbook* (2nd ed.). Washington: Urban Land Institute.

Ford, C. and Condon, M. (2011). *New Governance and the Business Organization*. *Law and Policy*, 33 (4), 449–58.

Gemeente Almere [the municipality of Almere] and MVRDV. (2009). Masterplan Almere 2.0 "Schaalsprong". Accessed on 8<sup>th</sup> February at: [https://almere20.almere.nl/fileadmin/files/almere/subsites/almere\\_20/mrdvalmsvlowreswt.pdf](https://almere20.almere.nl/fileadmin/files/almere/subsites/almere_20/mrdvalmsvlowreswt.pdf).

Gemeente Almere & Gemeente Zeewolde [the Municipality of Almere and Zeewolde]. (2013). Intergemeentelijke Structuurvisie Oosterwold [Intermunicipal Structural Vision Oosterwold]. Accessed on 10<sup>th</sup> February, 2018 at: [https://www.almere.nl/fileadmin/files/almere/bestuur/Bestemmingsplannen/Intergemeentelijke\\_structuurvisie\\_Oosterwold.pdf](https://www.almere.nl/fileadmin/files/almere/bestuur/Bestemmingsplannen/Intergemeentelijke_structuurvisie_Oosterwold.pdf).

Guide to Building and Planning Permits in the Netherlands. (n.d.). Read on 5<sup>th</sup> February 2018 at: <https://www.angloinfo.com/how-to/netherlands/housing/building-permits>.

Gunningham, N. (2009). 'The new collaborative governance: the localization of regulation'. *Journal of Law and Society*, 36 (1), 145–66.

Hajer, M., & Zonneveld, W. (2000). Spatial planning in the network society – rethinking the principles of planning in the Netherlands. *European Planning Studies*, 8(3), 337–355.

Healey, P. (2004). The treatment of space and place in the new strategic spatial planning in Europe. *International Journal of Urban and Regional Research*, 28, 45–67.

Héritier, A. and Eckert, S. (2008). 'New modes of governance in the shadow of hierarchy.' *Journal of Public Policy*, 28 (1), 113–38.

Héritier, A. and Lehmkuhl, D. (2008). 'The shadow of hierarchy and new modes of governance'. *Journal of Public Policy*, 28 (1), 1–17.

Hess, C. and Ostrom, E. (2007a). 'Introduction: An Overview of the Knowledge Commons', in C. Hess and E. Ostrom (eds), *Understanding Knowledge as a Commons: From Theory to Practice* (pp. 3–26). Cambridge, MA: The MIT Press.

Huisman, T. (2016). *Building in the Netherlands*. Loyens & Loeff N.V.

Jansen, F. (2016). *De toepassing van stedelijke herverkaveling. Een onderzoek naar de factoren die invloed uitoefenen op de toepassing van stedelijke herverkaveling* [The application of urban land readjustment. An investigation into the factors that influence the application of urban land readjustment]. Master Thesis, Radboud University.

- Lawrence, R. (2012). People–Environment Studies. Chapter in Clapham, D., Clark, W., Gibb, K. (ed.) (2012). *The SAGE Handbook of Housing Studies*. London: SAGE Publications Ltd.
- Lewis, J.M. (2011). 'The future of network governance research: strength in diversity and synthesis'. *Public Administration*, 89 (4), 1221–34.
- Löw, M. (2015). 'Managing the urban commons. Public interest and the representation of interconnectedness' in Borch, C. & Kornberger, M. (ed.) (2015). *Urban Commons. Rethinking the City*. New York: Routledge.
- Marwell, G. and Oliver, P. (1993). *The critical mass in collective action: a micro-social theory*. New York: Cambridge University Press.
- Mastop, H. J. M. (2000). The performance principle in strategic spatial planning. In W. Salet & A. Faludi (Eds.), *The revival of strategic spatial planning* (pp. 143–155). Amsterdam: KNAW.
- Miazzo, F., and Kee, T. (2014). *We Own the City: Enabling Community Practice in Architecture and Urban Planning*. Amsterdam: Trancity.
- Mori, H. (1998), 'Land conversion at the urban fringe: a comparative study of Japan, Britain and the Netherlands,' *Urban Studies*, 25(9), 1541–58.
- Muñoz Gielen, D. (2016). Proposal of land readjustment for the Netherlands: an analysis of its effectiveness from an international perspective. *Cities*, 53, 78-86.
- Nederlandsch Instituut voor Volkshuisvesting en Stedebouw. (1930). *De Woningwet 1902-1929*. Amsterdam: N.V. Van Munster's Drukkerijen.
- Needham, B. (1997). Land policy in The Netherlands. *Tijdschrift voor Economische en Sociale Geografie*, 88(3), 291–296.
- Nejaime, D. (2009). 'When new governance fails'. *Ohio State Law Journal*, 70 (2), 323–99.
- Noveck, B. (2011). 'The single point of failure', in S. Van der Hof and M. Groothuis (eds), *Innovating Government*. The Hague: Asserr Press, pp. 77–99.
- O'Flynn, J. and Wanna, J. (eds.) (2008). *Collaborative Governance: A New Era of Public Policy in Australia?* Canberra: ANU ePress.
- Olson, M. (1965). *The Logic of Collective Action: Public Goods and the Theory of Groups*. Cambridge, Massachusetts: Harvard University Press.
- Platform31. (2012). *Ruimte voor initiatief*. The Hague: Author.

Priscoli C. & Homenuckm. G. (1986). Citizen Participation in Community Development.

Rhodes, R.A.W. (1997). Understanding Governance: Policy Networks, Governance, Reflexivity, and Accountability. Buckingham and Philadelphia, PA: Open University Press.

Sabel, C., A. Fung, B. Karkkainen, J. Cohen and J. Rogers (2000). Beyond Backyard Environmentalism. Boston, MA: Beacon Press.

Savingny, H. (n.d.). Free riding. Read on 7<sup>th</sup> June 2018 at: <https://www.britannica.com/topic/free-riding> .

Schauppenlehner-Kloyber, E. & Penker, M. (2016). Between Participation and Collective Action—From Occasional Liaisons towards Long-Term Co-Management for Urban Resilience. Sustainability 2016, 8, 664; doi:10.3390/su8070664.

Scott, C. (2009). 'Governing without law or governing without government?' European Law Journal, 15 (2), 160–73.

Simon, H.A. (1945). Administrative Behavior: A Study of Decisionmaking Processes in Administrative Organization. New York: Free Press.

Skocpol, T. (1985). 'Bringing the state back in: strategies of analysis in current research', in P. Evans, D. Rueschemeyer and T. Skocpol (eds), Bringing the State Back In. Cambridge: Cambridge University Press, pp. 3–37.

Sørensen, E. and Triantafyllou, P. (2013). Politics of self-governance: an introduction. In Sørensen, E. and Triantafyllou, P. (eds), The Politics of Self-Governance, Farnham: Ashgate.

Steurer, R. (2010). 'The role of governments in corporate social responsibility'. Policy Science, 43 (1), 49–72.

Urhahn Urban Design. (2010). The spontaneous city. Amsterdam: BIS.

Van der Heijden, J. (2014). Governance for urban sustainability and resilience: Responding to climate change and the relevance of the built environment. Cheltenham, UK: Edward Elgar.

Van der Krabben, E. & Heurkens, E. (2014). Netherlands: a search for alternative public-private development strategies. In: Squires, G. & Heurkens, E. (eds) International Approaches to Real Estate Development. London: Routledge.

Van der Krabben, E. and Lenferink, S. (n.d.). 'Urban Land Readjustment by invitation' as an institutional innovation in Dutch land policy. Not Published.

Van Der Krabben, E. and Needham, B. (2008). Land Readjustment For Value Capturing; A New Planning Tool For Urban Redevelopment. *Town Planning Review*, 79 (6), 651-672.

Van der Krabben, E., Ploegmakers, H. and Samsura, A. (2011). The Netherlands: the public development of land. In Tira, M., Van der Krabben, E., Zanon, B. (eds), *Land management for Urban Dynamics: innovative methods and practices in a changing Europe*. Maggioli Editore, 269-280.

Van der Stoep, H., Nibbelink, J.J., Bonke, M., & Van der Krabben, E. (2013). Stedelijke herverkaveling als aanjager van stedelijke herontwikkeling [Urban land readjustment as a driver of urban redevelopment]. *Real Estate Research Quarterly*, 40-51.

Van der Wouden, R. (Ed.). (2015). *De ruimtelijke metamorfose van Nederland 1988–2015*. Rotterdam: 010Nai.

Wilson, D.S., Ostrom, E., Cox, M.E. (2013). Generalizing the core design principles for the efficacy of groups. *J. Econ. Behav. Organ.*, 90, S21–S32.

Yin, R. (2002). *Case Study Research*. London: Sage Publications Ltd.

Since 2008, a shift from a public-led approach towards owners-led and (more) private-led development can be seen in The Netherlands. Practice shows a large number of experiments which try developing in a 'new' way, in the Netherlands, two innovative development strategies that make their way being organic area development and urban land readjustment. Whilst these two innovative land strategies grant the possibility to private parties to steer the area development and to shape the urban space, the public parties' role is that of a facilitator and/or strategy/vision developer for the new area development.

However, private-led area developments where organic area development and ULR are proposed as land strategies imply that multiple stakeholders are involved. This results into the collective action problem to arise which can be dealt by using Ostrom's design principles for CPR management.

This study looks into three Dutch experiments with innovative land strategies, aiming to answer the question: To what extent can innovative land strategies deal with the collective action problem by using Ostrom's principles?





# Appendix



<sup>i</sup> Business parks are defined as multibuilding developments planned to accommodate a range of uses, from light industrial to office space, in an integrated parklike setting with supporting uses for the people who work there, servicing a range of activities and product types, each with specific requirements: warehouse/distribution; manufacturing and assembly; flex/high-tech businesses; offices; showrooms; incubator space; service businesses, including hotels and conference centers; and convenience retail stores, their success being reinforced by:

- a flexible master plan – that anticipates change: allows parcels of varying sizes to be subdivided or combined based on demand, the road system provides access to all portions of the site, the possibility of easily upgrading and modifying the utility systems;
- attractive landscaping and public spaces: a cohesive, parklike appearance that takes advantage of the site's topography and natural features and with particular attention paid to visible and strategic areas (building entrances, outdoor gathering spots, parking and recreation areas);
- on-site amenities and services – they contribute to a more interesting and desirable working environment and can help distinguish a project in a competitive market;
- flexible building design – to meet changing market conditions and occupiers' needs;
- appropriate parking: provide the correct parking ratios, but also ensure that parking areas do not detract from the business park's overall image;
- efficient circulation: direct and clearly marked; should accommodate the different and often conflicting needs of trucks, automobiles, and pedestrians (Frej, 2001, pp. 4-5).

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List of interviewed sources

Name of interviewee	Organisation	Role	Date of interview
Joey Hodde & Tycho Hellinga	Cafe De Ceuvel	Event manager	12.06.2017
Thomas Dill	-	architect, self-builder of KasHuis	29.05.2017
Saskia Muller		Quarter master, resident	11.05.2017
Michel Cossee	Municipality of Almere	Urban economist	18.05.2017
Amal Abbass-Saal	Diamondiaal non-profit organization	representative	24.05.2017 & 01.06.2017
Eloïne Kindt	-	resident	24.05.2017
Erwin van der Krabben	Radboud University	Professor and advisor/consultant	08.05.2017
Gustav Pol	Municipality of Zevenaar	representative	07.06.2017
Edwin van Uum	Het Noordzuiden	Process manager	20.06.2017
Frank Geerlings	Oost NV	Process manager	06.06.2017
Gerard Wieland	Province of Gelderland	Account manager	07.06.2017

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## Interview guides

Joey Hodde & Tycho Hellinga	12.06.2017
Why did De Ceuvel choose Buiksloterham?	We are an incubator
How did the process go on?	this used to be a Shipyard and about 12 years ago they closed this canal with a bridge and when they closed the ships couldn't reach the shipyard anymore; there was an empty patch of land; when this happened the municipality wanted to develop this area into a really fancy boulevard; but then in 2007 – 2008 the crisis hit and no one had money anymore and everything was put on hold; so there was nothing happening here; and the municipality set out a tender (auction) saying 'whoever can think about something to happen with the land, can do it for 10 years'; but because this was a shipyard there was a lot of pollution into the ground (oil, paint, heavy metals) so u can't dig into the ground but u have to sanitize the whole area (which costs a lot); and then a group of architects came together and started to brainstorm ('what if we put old houseboats on the land?' – u don't need to dig to build a foundation) and then the group started gathering people who wanted to participate and started looking for (cheap) houseboats in Amsterdam; the houseboats were placed using a crane.
How many units does De Ceuvel houses at the moment?	14
Do u try to attract people to De Ceuvel or is it that they mostly reach out to u?	It's a little bit of both
Can you give me an example of a smart financial scenario that De Ceuvel is developing?	Being an incubator; the cafe business model; the site is financially sustainable
Do you collaborate with other initiatives in Buiksloterham?	Yes; NDSM, the EYE museum, the 50150 Green garden area, Metabolic
Do you think that the market will take over resulting in higher prices for the land, and you will have to move to a different location?	Probably yes; they are negotiating with the municipality.  That's the thing about this place; we are here because the government had plans for the area, the crisis came, but they still wanted to do something about this place; then they offered us a lease for 10

	<p>years so we're here until 2024 and of course there will be some negotiation about staying for longer; they didn't count on it being so successful (we either); we came here sort of free [free-will?] but now the land value is way higher so of course we're here temporarily, but the chance for us to be able to stay longer – we don't know; we will probably have to have a negotiation with the municipality and a lobby;</p>
Do you collaborate with your neighbours on the street?	<p>They try to, but it's more of a conflictual situation.</p> <p>The street is a logistical nightmare, there's a car parking war going on because we generate so much traffic; and the direct neighbours go really crazy because when there's really busy the bicycles start to spill in the street or on their fences and it's very difficult for us to contain it; so sometimes in the summer the street is totally crazy and everywhere there are bicycles and people park in front of their building and they cannot go out anymore so yes, we have a lot of tensions; and we try to work with that and solve it, but sometimes we just can't; and sometimes because there are some many garages here, the street is full of cars and our delivery trucks cannot come here.</p>
Are you content with the development of Buiksloterham so far?	yes
Are you content with the pace of development?	<p>I think it's going a bit too fast; i think 3 years ago everyone started because the Buiksloterham manifesto was written and everyone declared that they wanted to make Amsterdam Noord and Buiksloterham a sustainable neighbourhood and with that idea they made a lot of investments and a lot of them are coming to be seen now, but i m really curious about the next phase in the development if it's going to be with the same circular and sustainable ideas because now it's time to cash in for the big guys; and a lot of 'poor' people from the neighbourhood they really feel the pressure of land prices going up and we feel a bit 'double' about it because higher middle class people living around us means more customers, on the other hand we don't like the feeling that we're an agent of gentrification,</p>

	but we are of course – we don't really know how to deal with this.
Are you happy with the rules of Buiksloterham?	Yes, however we're not really builders anymore, we're here already and for us we hope that the whole neighbourhood develops circular and sustainable.
Do you/ would you participate in modifying Buiksloterham's rules?	Yes
What is your opinion on the high uncertainty that this development brings?	We don't know what is going to happen with us and that they gave us the lease for only 10 years it's a little bit greedy because they apply a strategy and they do it all over Amsterdam where there are low value neighbourhoods and they give artists and creative people these spaces for free, but only temporarily; and the idea is that once they will spooose up the neighbourhood and bring their friends and organise events and once it becomes lively they have to move (it's Richard Florida put in practice); and I think this is a really greedy strategy, because I think in the end the creative class doesn't want to work like that; because we all want, like everybody else, certainty in our lives; u can't just hand out empty office buildings and say 'well u can use it for 5 years' and after that land value is going up and at some point you will have to move; i think at some point the creative class has to say 'look, it's very nice of you, but find someone else to spooose up your neighbourhood, we're looking for something where we can stay longer'.
Was there any situation in which you felt really challenged?	Yes, because of the neighbor across the bay who was disturbed because of the noise of the visitors
Did you receive (technical) help from a third party? Did you receive help from the Municipality?	From Architects; Municipality also offered a lot of support (with the permits; subsidy)
Do you think that this experiment could be tried out in a different location in a similar form?	Some parts yes, however the architectural form (the houseboats on land) is quite specific to De Ceuv



Thomas Dill	29.05.2017
Can u please tell me more about yourself and your family?	Family with three members and a dog; he is an architect; his wife is an artist;
Are you occupying the house yourself?	His family + another family of 3
Why did u choose Buiksloterham?	Because it was available and with a good accessibility from the rest of Amsterdam
Did u also communicate with other people who wanted to move here?	Yes; the Municipality facilitated this after they enscribed and received a plot
I have understood that you designed together the BOSRANKSTRAAT street. Was that mandatory to do it yourself? Who financed it? Did a third party help you with the design?	They wished to do because they were previously offered a bad design for the street; the Municipality constructed it; they designed it themselves, but they are many specialists living on the street
Do you collaborate with your neighbours regarding other issues?	Yes; they form smaller groups (for the street design, the poles, the kadaster, the blog)
Was collaboration with your neighbors easy?	It is quite some work; some are free-riding
Do you have public facilities such as parks and childcare?	Not in the proximity of their house but there are public facilities such as parks nearby.
Are you content with the development so far?	No, it goes too quick; I like that the area is highly mixed-use
Are you happy with the rules of Buiksloterham?	He would if the Municipality would stick to them
Would you contribute in modifying the rules?	if there is a good reason behind it, why not
Were there situations in which you felt challenged?	Yes, regarding the process (but it might be because the house is innovative)
Do u consider that the legislation is supporting self-building?	Yes (he brings a Manual of Self-building that he received from the Municipality)
Do you have any kind of personal pride of being involved in this?	Yes, building this house here was like travelling

Saskia Muller	11.05.2017
	She is one of the three quartermasters who have the tasks to: signal, program, start, stimulate, connect, represent and keep on going. Our /role/ is to spark things, to stimulate things; if we see the parties are doing well, then let them do it; it's not up to us to interfere, to decide about it or whatever; but if we can help, if we see something interesting or if somebody comes and asks 'i have this idea, can u find me some partners who can help', then we do it, that's how we see it.
	80-90 % of the land is owned by the municipality which means that things had to be carried out using the public law which is less strong.
	They signed a Manifesto with the parties already involved or who had a stake in Buiksloterham.
	They set 8 goals and how to get there: throguh systemic and technical interventions.
	There is some organization, but is not a formal organization; we want to be flexible; there is no decision making in Buiksloterham; there is no specific governance for the area; there is only the city who makes the decisions at a local level.
	It's open for everybody except for parties that we think that are there for the image; we have refused 2 parties so far as a partner because we think their intentions are not like ours.
Yesterday we discussed about motives and about why people decide to act, can you elaborate on that? The table of 20, why are they there?	<p>They have different motives. I think it started with some people in the city, at the municipality level, the water company who has a stake there, and Alliantie, the housing corporation (they were really looking for help on how to change their way of doing business, the way developing the city further, they really see it as a new era with the challenges that sustainability puts on the companies and the organizations that are there; they felt that it might help if u try it in a living lab area).</p> <p>Some companies reserved money for research and innovation in the area; other companies don t want to be left behind</p>
	Buiksloterham is expanding; at the beginning there were a very few people living there; the first few houses and little towers have been already constructed there; there are around 300-400 people living in the area there; when we started there only 100; when it's finished in 10 years time there will be 3,500 houses; every year there will be more and more people coming in; when u look at the housing corporations that are coming there and to the new tenants, then u ask 'how can we reach the people who are going to live there?', 'how can we involve them once they are known?' because developing the area in a sustainable way is one thing, but keeping it sustainable depends on the people who'll live there; i mean everybody wants to drive a nice diesel car and throw everything away after they have used it once, etc., then we are nowhere with our circular development; it's very important to involve the new inhabitants, to make it an area that sustains itself.

	There are people in Buisklosterham who designed their own street; the kids design their own playing house; people designed their own park (they will receive funding from the municipality).
	There is always the risk of having something built that u don't like next to your house; there might be a hotel or a skyscraper next to the houses on that street; as you have a lot of freedom, the other initiator also has a lot of freedom, you cannot complain or impose things.
What are some of the challenges of Buisklosterham?	The market: the land values will go up that meaning that some things like De Ceuvel or the houseboats from the mainland will not be kept; they wished to have an experimental land there, where they can try things, but probably the market will take over, so it will not be possible anymore to continue there; "but we can always move to other places".
You are also a resident of Buisklosterham. What's your perspective on that?	I will live in a collective building; it has been 1,5 years of preparations and we aim for 1,5 years for construction. We have a committee board; I am in between the committee and other parties (such as constructors).  We are a bit dissatisfied as we have to connect to the pipes that come from the north (12 km away) which is also quite sustainable, because it produces the heating by burning up garbage; but we want to do something on our own (heat cold storage), not on our plot, but somewhere where other people can also join [to be autonomous, to be off the grid].

Michel Cossee	18.05.2017
What were the municipality's motives to develop there?	They had a masterplan; the area is good connected with both Amsterdam and Utrecht and can supply a high number of houses (60.000 of 140.000 that are needed)
Do you hold information on how many initiatives are in Oosterwold at the moment?	Around 250 initiatives that are interested to build there
Who is going to provide the soft infrastructure?	The Municipality will provide it when there will be enough people on the site
What parties are interested to develop in the area?	Individuals; small developers (Camperloft, Giraffes village, Regen village), NGO – Diamondiaal

Amal Abbass-Saal	24.05.2017 & 01.06.2017
Why did you choose Oosterwold?	Land availability;
How is the process going on?	It's taking too much time to receive the approvals
Would you say that the rules still not facilitate this type of organic planning/ building?	absolutely not
Do you search for people to move in or do they come to you?	Both
Do you plan to involve the people in the building process?	Yes, the future residents but also students
Do you receive subsidies from the national or local level?	Yes
What do you consider as the biggest risks that the project holds?	Financial – in terms of cash-flows
Do you also consider the high uncertainty of Oosterwold as one of the risks?	She doesn't consider that there is a high uncertainty – the Municipality has created quite strong rules
Do you/would you cooperate with other initiatives in Oosterwold?	Yes, they would
Do you feel that self-organisation brings better results than government controlled?	Yes
Do you feel that the municipal policy is reliable and clear?	No; reliable no because it has changed many times; clear no because they do not provide support for the new situations that are encountered because it's an organic development

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Eloïne Kindt	24.05.2017
Can u please tell me more about yourself and your family?	Family with six members; they started the project 2,5 years ago
Why did you choose Oosterwold?	For urban farming; because it's spacious; sustainable houses and plots
How did the process go?	The architect of Ecoparkhof had a plan, made a website and he tried to find people to move in the area
Do you collaborate with your neighbors?	Yes, in all kinds of issues (such as permaculture)
How do you communicate?	Facebook group, whatsapp group, face-to-face meetings in groups or one on one
How will the roads be maintained? (if you built it)	They have a club of owners who manage this
Did you receive help from a third party?	Yes, from the architect who had the vision; they are a CPO – she thinks if you do it on your own it would take more time and it's more complex
Are you happy with the rules of Oosterwold?	She doesn't think they have a lot of rules (she thinks they have a lot of freedom) and it's ok; she just hopes they will stick to them
Would you participate in modifying the rules of Oosterwold?	If it's a serious matter then yes; otherwise she would free-ride because it's a lot of energy that you have to consume
What is ur opinion on the high uncertainty that this development brings?	She is ok with it; she likes the diversity of the neighborhood
Was there any situation in which you felt challenged?	Yes, many – because everything is new

Erwin van der Krabben	08.05.2017
What parties influenced the development of Oosterwold at the beginning?	the initiative was from the municipality
Did private parties have any requests for this type of development or for something to happen in this location?	there was interest from private developers, but not for this kind of organic development and the initiative for this was from the municipality and not based on any new demand for that
Why organic development?	They wanted to experiment with that as there are long discussions in the Netherlands regarding the housing industry which is too much dominated by the development industry, being very much supply land and not demand land
Did the municipality invest in some basic infrastructure at the beginning?	there is a distinction between <i>main infrastructure</i> and <i>plan related infrastructure</i> , the main infrastructure being provided by the municipality; each individual party who wishes to develop in the area must contribute to an <i>infrastructure fund</i> for Oosterwold and the municipality will provide the main infrastructure with the money that come from this fund; the major part of the infrastructure has to be provided by the inhabitants
Is the planning process finished or is it constantly adjusted?	they have organised in such a way that many issues are still open for discussion; they have defined quite detailed what they do <u>not</u> want
How are the risks shared?	there is no risks sharing, everybody is taking their own responsibility for their own risks; there's more risk to the initiators than there was before in the traditional development; now the municipality is only investing a little
How is the municipality capturing the value?	it's a two way cost recovery system: by selling the land as unserviced or partially serviced land and then there is this contribution to the cost fund
The freedom within organic development itself could lead to vacant plots and inefficient land use on less desirable locations. How does the municipality wish to internalise this negative externality? (intervention/incentive?)	They have no idea yet, I think; they agreed that it can be a problem, but they do not know yet.
Does the municipality have sanctions for free-rider behaviour (for instance if they do not wish to contribute to the road provision)?	they will not gather building permit; they sign for that; and then if they would still refuse to pay, then the municipality should go to court;
Who is paying for police/firemen?	There's no solution yet for who has to organise the firemen/police in the area, who's paying for that;

Who is managing the roads?	at the moment the initiators go to a third party to build and maintain their roads): one solution is that the municipality takes responsibility if the initiators ask for it
Are the people in the neighbourhood encouraged in any way to form collectives or their own institutions of self-government?	<p>It's not a necessity to do that, but u might say it's promoted; it's expected, being more efficient to do that;</p> <p>they might decide to form their own city council and then it becomes just a new city. that's an interesting part of the experiment; in the end, will they arrive to something that is very similar to how we [normally/usually/currently] organize it? Or will they come to something that is very different? the collective idea is a possibility, but again they don t have to do that, they can organise everything according to a market mechanism; maybe there will be companies that will approach the residents: u can hire us and then we take care of all the collective issues</p>
"Some initiators complain that rules of the game have changed and this frustrates them. Some other feel that the rules are contradictory, still imposing control and are generally unclear." What is your opinion on that?	there are much more uncertainties to other more regular traditional neighborhoods; it's very open from the side of the municipality; but when it comes to more sensitive adjustments to regulation, then it follows the regular planning procedures with the city council in the end deciding the possibility for residents to come with their opinions as in every planning process
Does the Municipality intervenes or brings any incentives?	I don't think so

Gustav Pol	07.06.2017
What were the motives of the municipality to develop this area?	They want to create a new attractive entrance to the city of Zevenaar.
Why use an ULR scheme?	There was already the idea from Radboud and Noordzuiden.
Is the planning process finished or is it constantly adjusted?	One phase with the concept is finished.
Some properties will have to be bought because of readjusting the roads?	Yes, municipality buys some property.
Who is going to bear the risks?	There should be a cooperation between the two parties
An article says that the private parties expect a strong involvement from the municipality. Will this happen?	It's not good that the private parties expect that. The public partner will take the risk. Private developers could play a role in the area. The municipality cannot be a private developer.
Are the people in the area encouraged to form collectives? In the business sector there is competitiveness?	They are not enough willing to cooperate, it's new for them. They have to work more on that (on how to facilitate this).
One owner just bought other 2 plots/buildings on the area they want to develop.	I think he is aware of the difference between doing something on its own and doing something together.
Did the municipality offered any incentive to reduce financial risks?	Not at this moment, no.
There is a fund PPM Oost and the BNG. Can these be seen as incentives?	Both are loans and you have to pay it back.
Maybe it is also possible to have a local development plan's Gerard mentioned.	Yes, but these are all ideas and we will see what's best in the future.
Some of the initiator say they are unwilling to talk with a third party until they receive a formal reply from the municipality; how is the municipality handling this?	It's a strategy of these companies; they first say no so they receive more money in the future.



Does the Municipality have a plan to sanction free-rider behavior? As I understood the municipality cannot force them to cooperate.	Well if we don't have a plan then it's finished for us I think; we do it in cooperation or we don't do it at all.
Does the municipality have in mind any incentives?	Only the talks that Frank is having (the third party), but no money.
Is the municipality planning to gather some best practices to be shared with other municipalities?	We were involved in the pilot project; we are also a pilot project in the NL from the central government.
Infrastructure situation: will the province wait?	We made progress with the province, the plan for this road is ready. It's not depending on the willingness of the province anymore, but on the willingness of the businesses; the companies from outside are already interested, but we have to convince the real estate owners there; they have to work together, they have to work with us.
New planning law, would you give recommendations?	It would be good to be more flexible in urban planning.
But with ULR you have a vision?	There's an area for motorway related functions.
Are the businesses able to contribute to the plan?	Not enough and not yet; more and more.
Now in this first phase u preferred to keep it as an internal discussion.	We're open to other businesses too, they can contribute on how the area will look like. There's a cooperation of businesses in this whole region called LINDUS (6 municipalities).
How do u have a dialogue with them?	Face to face, no social media campaign.
Do they reach out to u or do u have a more proactive role?	Both. The gas stations are very much interested in new locations.
Do the companies know about ULR and what does it involve? Or they just know that there's a new area coming, not knowing what ULR is about?	The second thing; it's difficult for them to understand, it's a new concept; you have to sit on the table with them and show what the plan is. This is cooperation.

Edwin van Uum	20.06.2017
What would be the motives of the municipality to develop this area using an ULR scheme?	strategic arguments; the pilot was already developed beforehand so they thought it's a good idea to use it; There was Gerard Wieland who was interested in our programme in a way; his colleague from the mobility and infrastructure planning department would only want to build the road; so they had some arguments between them
Why did the pilot programme start?	the province of Gelderland financed the pilot because a lot of municipalities wanted to practice, to experiment with this new law coming up and get new experiences: what can be done, what can't be done;
What was Noordzuiden's involvement into the process?	Managing the process in these fields of power of actors; we did the visualizations, plans and drawing maps;
What did the process involved?	there is a succession of 3 different projects: <ol style="list-style-type: none"> <li>1. Urban nodes project: on the same area; it was about developing a vision for the train station near to the connection with the highway; in the first phase it was only the municipality and province (no stakeholders);</li> <li>2. the Urban Land readjustment pilot programme: in this project, Het Noordzuiden was involved as a process manager: we organized the meetings and we identified which are the main stakeholders and what are their powers; and we were looking into the coalition of the willing: we were looking more for more pioneers, or people willing to think about the future;</li> <li>3. the business plan: Oost NV worked to make a business plan with the owners – they became the process manager; Het Noordzuiden's role was to be a spatial planner / urban designer; in the third phase there were already more stakeholders involved</li> </ol>
How much time the process go on until this date?	it was about 5 years to go from this broad vision towards this manufactured trading scheme towards the business plan;
Did u identify any success factors and barriers into the process?	think the main issue is the coalition of the willing: it's really hard to find them; cause it's not only about bringing people together, it's also about this natural

	<p>selection that has to take place; however, the success it's coming because before we started with the business plan we had a view on this coalition of the willing;</p> <p>i think the barrier was the involvement of money and land value, taxation and exploitation was way too late into the process, it had to be done earlier into the process;</p>
Was time also a barrier? As you would have to move quick, otherwise it's not doable	you have to put some pressure, because under pressure people want to move
Are you willing to share this experience?	There was already a booklet with the pilots and we are making a booklet on lessons learned and experiences we had for all the 6 pilots together
Do u think that this could have been done using organic area development strategy?	For the case of Zevenaar it was about infrastructure readjustment and infrastructure is some sort of a governmental thing; Almere is very pioneering to have infrastructure not be seen as a governmental think; but in zevenaar infrastructure is seen as a governmental thing; it couldn't be done by organic planning; only the land readjustment in the way that owners relating this new infrastructure – that can be done organically, the spatial part of it;

Frank Geerlings	06.06.2017
Are the businesses involved in developing the plan for Tatelaar and Hengelder?	There were 7 companies involved in the second phase and from these 7 companies now we need land from 3 of the land owners which whom I am now in discussions
Is any negotiation taking place between the municipality and the owners?	Yes, the ones related to how much they would sell the land
Do the owners work together or they prefer to work individually?	in this plan they do almost everything themselves, however I've heard that they also had some talks together; For the new development I think it would be very nice if they collaborate and work together or if they wish to collaborate with the municipality as the municipality needs some land from 3 of the owners
Do the owners expect that the municipality takes a high degree of responsibility?	it's already a long process and most of the owners are disappointed in the municipality; It's very complex and for the municipality it's complicated because of the deficit – however so far they did not make a final decision.
Are public parties interested in the quality of the new area or only in the highway restructuring?	yes, very. With beautiful buildings, green, sustainable. So the people who come to Zevenaar see a very nice entrance to the city. And that's why they are still trying to make it possible to become a nice area and to reduce the costs. However, there is a conflict of interest in the province: the roads department wishes for a certain thing, while the economic department fancies another.
Is there any conflict resolution mechanism?	They try to solve the conflict now through my talks, however this does not work completely as one of the owners wants a formal reply from the municipality
Are the owners aware that the intervention implies an ULR scheme and are they aware what urban land readjustment is?	no. what I discussed with them is that if they give me the land for the roads the municipality is prepared to offer some land in some other business park. However, they are not really interested, they want cash and are mostly interested in making a profit. And this development cannot be made by the municipality, but by the private sector.
Are the private parties encouraged to form collectives?	no. there is no incentive for it. There are not a lot of parties involved and all they want is to sell, nothing else. The businesses do not show an interest up til now to cooperate/collaborate/ work together.

	Moreover, the private parties affected by the close of the access point talk with the municipality about the costs involved and do not talk about relocating (to move from here to here). I don't know why. I think it's a little bit strange for the investors. However, the investors are not talking, perhaps they are just sitting and waiting until the municipality makes a move.
Did the private parties communicate their individual goals?	yes. One owner talked about his business losing free sight from the motorway on his building. From the other owners were only financial demands
Were there other challenges?	There is also an issue with the owners who are changing their minds. From one owner I received a really positive reaction, however a week later he asked for another meeting and said that he actually doesn't like the plan.

Is the province of Glederland involved in the ULR scheme in Zevenaar because the province wants to make a new entrance to the highway?

Yes. A new highway is coming so they have to make a new entrance to Zevenaar and we got money from the Dutch government to build the entrance to the highway – but the sum is small; they are only looking at the small part of land where the entrance would be. Zevenaar wants to make a better solution for this entrance and that means they have to move the existing properties in the area.

Therefore, there are two options: a smaller case (which focuses only on a small area where the new entrance should be placed); a bigger case (when you look at the whole business park);  
*// however for the bigger case more funding is needed //* yes, you have to exchange properties; you have to buy properties; you make to make a new entrance that costs a lot of money; Oost NV (Frank) is looking if he can make a business plan for it; we are looking if it's possible financially to realise this.

Is the province more willing to support the ULR scheme or to simply build and extend the road there?

The road has priority; they make an appointment with the Dutch Government and they must stick with the deadline; it's important to have a good solution for the area so we are communicating with our colleague in the roads to pursue the department/ to negotiate because now it's easy to change, but then it's harder to change and it would cost a lot of money.

What were the challenges of the process?

More people make it difficult to work; but you also need investors; however there are people there who only want to sell and this makes it more difficult in negotiation that are no owners who want to develop as they do not have an interest in developing; you have owners there, but also renters – that also makes it difficult.

Moreover, in this area is harder to achieve value creation because it's next to the highway; the challenge is to create the value; when you make something new you have to remove the old buildings, and that costs; and the redevelopment costs; and that's the challenge; along with the fact that there is not enough money; the BNG can give a loan to a

	low interest rate but you have to have a strong business case.
Why do you think that's the motive of the Municipality to get involved?	The municipality has realised that the entry has potential (a bit late however); you can make this as an important entrance but you can also contribute to add value to this place – the Municipality realised this a bit too late and now they have to create something in a hurry.
How will the value created through the ULR scheme be distributed?	It depends on who is taking the risk; the municipality has to decide if they want to take the risk of the development but first we have to try with the fund; they have to choose if they want to take the risk at the moment and have a good solution for the future or not to take it and not have a good solution; because the province has a good solution for the road but it is not a good solution for the businesses.
Are you trying to support the people to form collectives?	It's important in this area to look at what's the problem, who are the stakeholders, and how you can bring them together; the most important thing is that the people know of each other and they have to know what they want; you have to support the process; you have a purpose and then you look for the best way to get there; it's important to support the process.
Who are the third parties involved into the process?	Het Noordzuiden, Kadaster, Oost NV as Zevenaar was a kind of pilot and Oost NV (Frank) is working more like an activator for the process – to stimulate the parties to come to the table.
What funding/incentive is available?	(1) funding for the highway readjustment; (2) funding for area development and the businesses located there – trying to cover this with Ppm Oost and to use this as an incentive for the businesses there along with a local development fund which can be loaned from BNG at a very low interest rate; the pilot tried to see if it's possible to use that fund here.
Do you have any plan to sanction free rider behavior?	You can go to the court for expropriation if they refuse to collaborate in the case of road provision, but we try first to negotiate before this.

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Why did you keep the scheme as an internal discussion only?

It was only a pilot to get experience with it, that's why; we wanted to see if it's possible to use ULR as an instrument; there is a symposium next week to discuss the results of the pilots and then we are closing the pilot programme.