



Issues of NIMBY conflict management from the perspective of stakeholders: A case study in Shanghai



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ABSTRACT

At a time when the relationship between local government and the residents is worsening, little has been written about the issues of managing NIMBY conflicts among local governments, residents and developers. This paper aims to examine the issues of NIMBY conflict management among the stakeholders in China. A case in Shanghai, China illustrates the major issues in NIMBY conflict management that have arisen among stakeholders. The results show that public participation, EIA and the gap between the policy making and the fast city development are the main issues. Tough stability maintenance measures intensified public opposition to the NIMBY facility. Based on the issues identified in the case study, the authors suggest effective public participation, full EIA report accessible to the public and social impact included for facility siting response strategies for city managers to reduce NIMBY conflict.

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1. Introduction

The NIMBY (an acronym for the phrase 'Not In My Back Yard') phenomenon is defined as public opposition to construction of certain public facilities in urban development. Some of these facilities include substations, landfills, incinerators, power plants, highways, and hospitals. NIMBY facilities may have negative effects, such as environmental, health, safety, economic and social impacts, on nearby communities but are seen to benefit the wider public (Inhaber, 1998; Lake, 1993).

NIMBY conflict arises when local residents have different perceptions of gains and losses resulting from the development of certain projects. Public participation, information disclosure, Environmental Impact Assessment (EIA) and transparency have been studied as strategies for reducing public risk perceptions of NIMBY facilities (Wolsink & Devilee, 2009; Wright & Boudet, 2012).

However, the relationship between local government and residents during the management process of NIMBY conflicts seems to be worsening. Empirical research shows that due to NIMBY conflict

management, residents mistrust local government (Botetzagias & Karamichas, 2009; O'Garra, Mourato, & Pearson, 2008). Therefore, understanding the issues between stakeholders in NIMBY conflict management is vital to reducing NIMBY conflicts. However, there is little research on the issues of NIMBY conflict management from the perspective of the stakeholders' relationships. Although scholars have mainly studied NIMBY conflicts in Western countries, NIMBY conflicts have only recently become a challenge for city managers in China and thus not much has been written on the subject from China's perspective. Thus, the research questions in this study are: 1) what are the issues of the NIMBY conflicts management among the stakeholders? 2) How to handle the NIMBY conflicts management among the stakeholders?

Aiming to examine the issues of NIMBY conflicts management among the stakeholders and to recommend strategies to resolve the conflicts, this article begins by highlighting the causes of and strategies implemented in NIMBY conflicts. Then, the Shanghai Hongyang substation is used as a case study to analyze the issues between the stakeholders involved in this particular NIMBY conflict. Finally, based on the problems identified in the case study, the authors suggest effective public participation, full EIA report accessible to the public and social impact included for facility siting response strategies for city managers to reduce NIMBY conflict.

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2. Literature review

2.1. The causes of NIMBY conflicts

Previous research shows that there are three main causes of NIMBY conflicts. The first source of conflicts is caused by the residents in an area of a proposed facility. The second cause of conflict is the NIMBY facility itself and the third cause is related to the impact of economic and societal development and institutional change at the macro level.

The causes of NIMBY conflicts at the micro level focus on the attitudes of the local residents living around a NIMBY facility. Lee and Lam, (1998) surveyed public attitude to different types of NIMBY facilities from environmental dimension. Chiou (2005) observed that for facilities such as power stations and incinerators, the main perceived externalities were declining property values, and negative health impacts and safety risk.

The second cause of NIMBY conflict is facility siting. Technology is the key criterion for facility siting, in particular for the energy facilities (Cotton & Devine-Wright, 2010). However because of the NIMBY syndrome, city managers gradually began to consider the social impact of the facilities when planning facility sitings (Tang, Wong, & Lau, 2008; Wolsink & Devilee, 2009).

The third major cause of NIMBY is the social system transition at the macro level. This refers to political, social and environmental developments, including environmental pollution (Groth & Vogt, 2014; Inch, 2012). Fung, Lesbirel, and Lam (2011) have observed that the public do not protest against the NIMBY facilities, but instead protest the decision-making institution. In explaining the institutional cause of urban NIMBY conflict in China, David (2005) and He (2009) stated that the weakened functions of *danwei* ('work unit') and the communities design have resulted in community residents protesting NIMBY facilities around their communities to the local government, rather than to their *danwei*.

2.2. The strategies to reduce NIMBY conflicts

Public participation, transparency and EIA are emphasized by local governments as possible strategies to reduce NIMBY conflicts. Using these strategies is a way to address citizens' environmental concerns and give them access to decision-making information about NIMBY facilities.

Fung (2015) states that participation can advance the effectiveness, legitimacy and social justice of democratic governance values. However, recently the experience of scholars and practitioners has shown that public participation does not necessarily make citizens accept a facility and has little impact on government decision-making (Eckerd, 2014b). From the perspective of political democracy, Arnstein (1969) has stated that effective public participation should take into consideration the redistribution of power that ensures that have-not citizens are deliberately included. After many advances of participation theory and practices, Fung (2006) offers an effective framework for understanding mechanisms of participation, including who participates, how participants communicate and make decisions and how the decisions are linked to policy or public action. He states that.

Transparency is another strategy for NIMBY conflict resolution. Many scholars and practitioners have stated that transparency can give the public access to information about NIMBY facilities. Ferry & Eckersley (2015) argue that transparency initiatives help to reduce and prevent corruption in developing countries and areas, because with transparency the public can access information that has not been revised or shaped by the powerful government. However, Etzioni (2014) indicates that although the transparency principle has the above benefit, it does not mean this principal can substitute

for regulation. Etzioni argues that local residents do not have the expertise, time or energy to evaluate information provided by public sectors, with the result "that transparency provides users with the illusion of openness while actually serving to obfuscate."

Morgan (2012) states that EIA policy as an institution consideration has been created in preventing environmental pollution, but other criticisms (Leverett et al., 2007) state that some EIA cannot sufficiently inform about the choice of a particular site. Public participation in EIA is the central theme in the existing EIA literature. When investigating public participation in EIA, scholars focus on "early" and "effective" participation strategies in EIA (Hartley & Wood, 2005; O'Faircheallaigh, 2010). However, there are still some political, institutional, technical and culture barriers to the success of EIA (Petts, 2003; Tang & Chiu, 2010). Tang and Chiu found that more political demands are imposed on the EIA system in the course of democratic consolidation. In an empirical study, Eckerd (2014a) observed that residents of affected geographic areas use nontechnical language to address concerns over individual impact, whereas administrators use technical language about aggregate impacts and focus on justification of decisions, rather than altering decisions based on public feedback.

As a result, the relationship between local governments and residents has become increasingly tense in practice and the public are dissatisfied with the work of local governments.

2.3. The legislative framework for environmental protection and public participation in China

In China, environmental protection and environment governance was once dominated by the state (Yan, 2011). In 1989, the Environmental Protection Law of the People's Republic of China (EPLPRC) was first established. As the basic laws in the system of environmental protection laws and regulations, the new EPLPRC was revised and published in January 2015. In order to reduce the negative ecological effects of construction projects, the National People's Congress published the Environmental Impact Assessment of the People's Republic of China (EIAPRC) in 2003. As well, to improve the degree of environmental protection in decision making, the Planning Environmental Impact Assessment Regulation (PEIAR) was published in 2009 by the State Council in China. It indicated that planning EIA and project EIA should be considered separately.

Cai (2009) argued that if the government in China does not agree with the policy of public participation, then it is not written into the law. At present, there is no Public Participation Law in China, however, some regulations have appeared in the Urban and Rural Planning Law of the People's Republic of China (URPLPRC), EPLPRC and EIAPRC.

Xia (2008) states that in China the government monopolizes information about the environment, though Yan (2011) argues that transparency of information is crucial for citizens to enforce their environment rights in China. However, other than through governmental reports, the Chinese public has extremely limited access to information on policy making, construction projects and information on the environment (Yan, 2011). For example, one has to seek approval from the environmental monitoring authority about the results of any examination of pollution victims conducted by the environmental monitoring department.

In addition, although the new Environmental Protection Law (2015) indicates that, except for state or/and company secrets, the EIA report shall be fully disclosed to the public, the EIAPRC (2003) only indicates that construction units should hold public hearings before applying for the EIA report, which has no regulations authorizing full public disclosure of the EIA report (Wu, 2015). Thus, Wu argues that the EIA report disclosure in EIAPRC lacks

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