



Ministry for the
Environment
Manatū Mō Te Taiao

Scope of a National Policy Statement on Urban Design

Background Paper

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Introduction

Recently the Government concluded that preparing a National Policy Statement on Urban Design under the Resource Management Act 1991 (RMA) is desirable. As the majority of New Zealanders live in towns and cities (87 per cent) the Government considered that national guidance would help improve the quality of urban design in New Zealand, and would complement existing voluntary, non-statutory initiatives like the New Zealand Urban Design Protocol. Further, it considered that a National Policy Statement on Urban Design would reinforce that urban design is a legitimate pursuit under the RMA and encourage a more integrated and co-ordinated national approach to such matters.

Your views on the scope of a proposed National Policy Statement (NPS) on Urban Design are now sought. This invitation follows consultation on the desirability of a NPS on Urban Design that the Ministry for the Environment undertook in 2006 and 2007. General details of the organisations which participated in this earlier consultation are listed on page 6.

This paper outlines five questions to prompt your views on the scope and direction of a proposed NPS on Urban Design, and should be read in conjunction with the attached letter. Each question is accompanied by a summary of related findings that emerged from the previous consultation referred to above. You are invited to consider and respond both to the questions and issues raised, and to make any additional comments on any aspect of an NPS on Urban Design. Your feedback will be collated, analysed and used to inform a report back to Government in early 2009 on the potential scope of an NPS on Urban Design. If need and scope is agreed by Government, the Ministry for the Environment will prepare a proposed NPS on Urban Design. An outline of the process for developing an NPS is described in the flowchart on page 7.

A National Policy Statement

A national policy statement (NPS) is a high level statutory document that provides direction to local authorities on matters of national significance. An NPS on Urban Design could include objectives and policies to promote quality design in urban environments, but not rules or standards. Its scope would also be restricted to matters that are relevant to the purpose of the Resource Management Act (RMA).

Under the RMA local authorities are required to give effect to an NPS when preparing or changing their regional policy statements and regional and district plans. When considering an application for a resource consent decision-makers, including the courts, must also assess any relevant provisions of an NPS.

Defining Urban Design

The New Zealand Urban Design Protocol (the Protocol) defines urban design as:

Urban design is concerned with the design of the buildings, places, spaces and networks that make up our towns and cities, and the ways people use them. It ranges in scale from a metropolitan region, city or town, down to a street, public space or even a single building. Urban design is concerned not just with appearances and built form but with the environmental, economic, social and cultural consequences of design. It is an approach that draws together many different sectors and professions, and it includes both the process of decision-making as well as outcomes of design.

Questions

These questions are intended to prompt and focus your consideration, not to limit or constrain your thinking or comments. Where relevant, please give the reasons for your answers.

1 Should an NPS on Urban Design be developed? If so what issues of national significance do you consider it should address and what relative priority would you assign them?

Cities and towns are an important physical resource. The way we develop and adapt urban areas are key factors in creating successful towns and cities. Urban design can contribute to this success, particularly in areas experiencing significant growth pressures. How we manage growth, and the quality of related development, will have a significant influence on the liveability and sustainability of these areas.

Views expressed in previous consultation were:

- Some of the principles in the Protocol could help form the basis of an NPS on Urban Design.
- An NPS on Urban Design should be linked to sustainability, including liveable neighbourhoods, towns and cities.
- **National strategic priorities:** These include climate change adaptation, vehicle emissions and sustainable transport.
- **Positive attributes:** These include regional infrastructure, urban form and structure, linking land use and transport, walkable urban environments, recognising heritage values, regeneration, subdivision layout, character, mixed use, and location of schools and other public facilities.
- **Perceived threats:** These include peri-urban development, large format retail, gated subdivisions, lack of interconnection, very low density development, and the impact of urban form on the landscape.

- **Growth management:** Various views on whether growth management issues (intensification, urban form, location of new housing development) could be covered were recorded. However, some maintained that an NPS on Urban Design would not be possible without addressing urban boundaries, infrastructure design, and the location and design of new settlements.

2 If an NPS on Urban Design were to be prepared, how would you see it being structured, what level of detail would it contain and how directive would it be?

Your comments would help inform how an NPS on Urban Design might be structured. These could cover the nature, content and policy direction needed and the balance between national direction and local autonomy.

Views expressed in previous consultation were:

- A spectrum of views were expressed. These ranged from an NPS on Urban Design being a brief statement with high level objectives only, through providing consistent policy thinking about urban design with flexibility in how it is implemented to more prescriptive approaches of providing specific codes or standards controlling aspects of urban design.
- Define the expectation rather than giving all the answers.
- Some advocated for a very short document – “two pages” – whereas others considered urban design outcomes should be explicitly stated.
- Provide high level principles, objectives and policies and not prescribe either detail or local-level urban design outcomes.
- Provide a common vision and agenda with sufficient detail to give consistency across council plans as well as guidance for large scale plans and projects.

3 What should not be covered by an NPS on Urban Design?

As an NPS is prepared under the RMA its content needs to promote the purpose of the Act – the sustainable management of natural and physical resources. Consequently, you might like to identify those aspects relating to the management of the urban environment that you consider are outside the scope of an NPS on Urban Design and best left to be managed through other mechanisms.

Views expressed in previous consultation were:

- Address urban design issues associated with the built environment, not broader urban affairs.
- Avoid approaches that create resourcing issues for smaller councils. (There needs to be a dialogue with smaller local authorities to give a picture of the state of urban design issues and practice across the country.)

- Initiatives that might be related to, but should not be in, an NPS on Urban Design include:
 - urban design information and assistance for smaller councils
 - capacity building in urban design
 - national urban design advisory board and/or review panel
 - urban design education
 - councillor training
 - standards and codes
 - standard review procedures
 - local or national guidelines
 - pilot projects.

4 At what scale or scales would it be appropriate for an NPS on Urban Design to provide direction?

Urban design covers a range of spatial scales, extending from regional to city/towns to neighbourhoods to individual spaces and buildings. As the focus of an NPS is on matters of national significance you might like to consider the scale to which an NPS on Urban Design applies.

Views expressed in previous consultation were:

- A strategic, ‘big picture’ approach to spatial planning is required.
- Address the liveability and everyday experience of local neighbourhoods including relevant attributes of individual spaces and buildings.
- Acknowledge and address the diverse types of urban environments found in metropolitan, provincial and rural areas.
- Address cross-boundary growth management issues through application of a common agenda.

5 What additional qualities do you consider should be reflected in an NPS on Urban Design?

Aside from the level of detail and nature of the direction an NPS on Urban Design might contain, you might also like to consider any other qualities that would contribute to its effectiveness (eg, visionary, integrative, responsive).

Views expressed in previous consultation were:

- A proactive, visionary approach (as distinct from a reactive approach).
- A focus on good planning rather than procedural or legal outcomes.
- Promote an integrated approach to urban design across the built environment and across relevant legislation (eg, RMA, Local Government, Land Transport Management and Building Act).
- Clarify the actions required of local government.

Further Information

New Zealand Urban Design Protocol Ministry for the Environment, March 2005
<http://www.mfe.govt.nz/publications/urban/design-protocol-mar05/index.html>

The Protocol establishes a comprehensive set of design principles and processes for application in New Zealand. Those who become signatories to the Protocol voluntarily commit to undertake specific urban design actions.

The Value of Urban Design: The economic, environmental and social benefits of urban design (full report) Ministry for the Environment, June 2005
<http://www.mfe.govt.nz/publications/urban/value-urban-design-full-report-jun05/index.html>

This report identifies and summarises international and local evidence on the relationship between urban design and social/cultural, economic and environmental outcomes. It establishes the rationale for various urban design qualities. (A shorter summary report is also available on the Ministry's website).

Organisations which Participated in Previous Consultation

Central government

- Department of Building and Housing
- Department of Labour
- Land Transport New Zealand
- Ministry of Culture and Heritage
- Ministry of Education
- Ministry of Health
- Ministry of Transport
- New Zealand Historic Places Trust
- Transit New Zealand

Local government

- Auckland City Council
- Auckland Regional Council
- Auckland Regional Transport Authority
- Christchurch City Council
- Environment Waikato
- Greater Wellington Regional Council
- Kapiti Coast District Council
- Nelson City Council
- North Shore City Council
- Manukau City Council
- Porirua City Council
- Rodney District Council
- Tauranga City Council
- Waimakariri District Council
- Waitakere City Council
- Wellington City Council

Professional bodies

- New Zealand Institute of Architects
- New Zealand Planning Institute
- Property Council of New Zealand

Academic institutions

- University of Auckland
- Victoria University of Wellington

Developers

- Kensington Properties
- McConnell Properties

Consultants

- Athfield Architects
- Beca
- Boffa Miskell
- Chow Hill
- Context Urban Design Ltd
- Harrison Grierson
- Hill Young Cooper
- Incite
- John Edmonds and Associates Ltd
- Ken Tremaine Consulting Ltd
- RW Batty and Associates
- Urban Perspectives Ltd
- Urbanism +

Process for Developing a National Policy Statement (NPS)

Step 1 RMA process	Minister and Government consider an NPS is desirable
	Step 2 Section 46
Step 3 Draft proposed NPS	Ministry for the Environment seeks comments from relevant stakeholders
	Ministry for the Environment collates and summarises the comments
	Minister and Government considers the comments received
	Minister and Government agrees to the scope of an NPS and directs the Ministry for the Environment to begin drafting a proposed NPS
	Ministry for the Environment drafts a proposed NPS in keeping with Government decisions above
Step 4 Consider and consult on NPS	Ministry for the Environment examines the costs and benefits and effectiveness of the proposed NPS
	Ministry for the Environment reports to Minister and Government on the draft NPS
	Government decides the process to release the proposed NPS
Step 5 Release NPS	Board of Inquiry or alternative process is established to seek and hear submissions on the proposed NPS
	Report and recommendations on the proposed NPS made available to the Minister
	Government considers the report and recommendations, along with the costs and benefits and regulatory impacts associated with the proposal, and finalises the NPS
	Governor-General approves NPS and it is published in the Gazette