



Ministry for the  
**Environment**  
*Manatū Mō Te Taiao*

New Zealand Government



# Urban Design Panels

A National Stocktake



URBAN DESIGN PROTOCOL



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Ministry for the Environment  
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Published in August 2010 by the  
**Ministry for the Environment**  
Manatū Mō Te Taiao  
PO Box 10362, Wellington 6143, New Zealand

ISBN: 978-0-478-33294-0

Publication number: ME 1023

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# Contents

Executive summary	v
<b>1 Introduction</b>	<b>1</b>
1.1 Project objectives	1
1.2 Project methodology	1
1.3 Responses	1
<b>2 Analysis of responses</b>	<b>3</b>
2.1 'Yes' responses: We operate a panel	3
2.2 'No' responses: We do not operate a panel	7
2.3 Other issues	9
<b>3 Why have panels not been set up in particular locations?</b>	<b>11</b>
3.1 North Shore City Council	11
3.2 Wellington City Council	11
3.3 Kaikoura District Council	12
3.4 Grey District Council	12
3.5 Hutt City Council	12
<b>4 International comparisons</b>	<b>13</b>
4.1 England, UK: Commission for Architecture and the Built Environment	13
4.2 Seattle, USA: Seattle Design Commission and Seattle Design Review Programme	14
<b>5 Discussion</b>	<b>17</b>
5.1 Do external expert panels work?	17
5.2 Are panels right for everyone?	18
5.3 Best practice for operating a panel	18
5.4 The role of pre-application advice	20
<b>6 Conclusions and recommendations</b>	<b>21</b>
6.1 Conclusions	21
6.2 Recommendations	21
<b>Appendix 1: New Zealand Urban Design Review Panels</b>	<b>23</b>
<b>Appendix 2: Summary of responses from local authorities not operating an external urban design assessment panel</b>	<b>51</b>



# Executive summary

A number of urban design panels have been established in New Zealand with the aim of improving the quality of urban design. These have mainly been set up by metropolitan councils and in areas of rapid urban growth. The Ministry for the Environment wanted to gain a nationwide picture of these urban design panels to inform policy proposals, enhance their use and effectiveness, and improve the quality of urban design in New Zealand. The project brief required a 'stocktake' of local authority urban design panels to establish their number and the processes they use, and to canvass views on their effectiveness.

The project was undertaken in May and June 2010, and involved a survey of all local authorities in New Zealand, supplemented by desktop research on case studies in New Zealand and overseas. Seventy-two local authorities were surveyed, with a response rate of 72 per cent. The research was conducted in two stages. In stage 1 local authorities were asked whether they operated an urban design panel (or similar) for resource consent assessment. If they responded 'yes', follow-up questions were asked about the panel's function, scope, terms of reference, management and operation. In stage 2, local authorities who answered 'no' to the question of having an urban design panel were asked to clarify why this was and what other methods were used.

This research revealed that, across New Zealand, urban design assessment takes many forms, but two main types of urban design panels are:

- an independent panel of external experts (including technical advisory groups)
- an in-house panel of external experts who function as a 'design clinic'.

Assessment by in-house staff and specifically commissioned external peer review are also key assessment mechanisms.

The determining factors for whether or not a local authority chooses to establish and operate an urban design panel appear to be:

- the content of the district plan and whether it gives any scope for specific urban design assessment
- the demographic characteristics of the local authority, including size, population and proportion of urban land
- budget considerations
- the availability of suitably qualified people to form a panel.

External expert panels have only been established in metropolitan centres. This reflects development pressure, staffing levels, the availability of expertise, and the greater degree of urban design weight given by district plans.

In general terms, it seems that the panels of external experts that are currently operating in New Zealand are having a positive effect on built outcomes, either by improving the standard of design or by being able to eliminate poorly designed proposals from further consideration. The panels have also improved the quality of applications subsequently received, and have raised the profile and importance of urban design issues in the development community. It is evident from the survey that the greatest value of urban design review is at an early stage, preferably before a full design is developed.

Given the large range of local authority types and demographics, and the equally wide variety in the content of district plans, it would appear that allowing each authority to choose a method of urban design assessment that suits them best is a practical approach. There is also merit in adopting a flexible approach: using different assessment methods, or a combination of methods, to ensure robust advice that meets Resource Management Act timeliness requirements.

Nevertheless, from the survey it became clear that there are a number of ways in which urban design assessment and the operation of urban design panels could be improved and supported, and therefore given more weight in the decision-making process. These are encapsulated in the following recommendations.

1. Provide best practice guidance for local authorities wishing to set up an urban design panel: this guidance would create greater consistency nationwide on how urban design panels operate and are monitored, and would provide standard terms of reference for use.
2. Provide support for nationwide training for those sitting on urban design panels, to create a consistent decision-making process.
3. Investigate ways to assist provincial and rural councils to give urban design advice, particularly for projects in their area that are large or significant.
4. Continue to provide research, guidance and training on urban design issues, objectives, policies and rules in district plans to ensure these are written to give effectiveness and weight to urban design matters where relevant: this will give decision makers the tools to make robust decisions that can include consideration of urban design matters.

# 1 Introduction

## 1.1 Project objectives

A number of urban design panels of varying structures and operational methods have been established in New Zealand with the aim of improving the quality of urban design. These have mainly been set up by metropolitan councils and in areas of rapid urban growth. The Ministry for the Environment wanted to gain a nationwide picture of urban design panels to inform policy proposals, enhance the use and effectiveness of this tool, and improve the quality of urban design in New Zealand. The project brief required a ‘stocktake’ of local authority urban design panels in New Zealand to establish their number and the processes they use, and to canvass views on their effectiveness.

## 1.2 Project methodology

This project was undertaken in May and June 2010, and involved a survey of all local authorities in New Zealand by email and phone. This was supplemented by desktop research on case study examples, both in New Zealand and overseas. The research was conducted in two stages.

In stage 1 local authorities were asked whether they operated an urban design panel (or similar) for resource consent assessment. The description of ‘urban design panel’ was purposefully kept broad to allow local authorities the scope to further expand on the mechanisms used. If they responded ‘yes’ to the stage 1 question, further follow-up questions were asked about the panel’s function, scope, terms of reference, management and operation, either by a phone interview or by sending a written list of questions by email. (The scope of these questions can be seen in Appendix 1.)

In stage 2, local authorities who answered ‘no’ to the question of having an urban design panel were asked the following questions:

- Does your district plan contain objectives, policies or rules relating to urban design?
- If yes, who assesses development proposals that have urban design content?
- Has your authority ever considered operating an urban design panel?
- If yes, why was one not established? If no, why not?

## 1.3 Responses

A total of 72 local authorities were surveyed across the country. These comprised:

- 16 city councils
- 56 district councils, including four unitary authorities.

(Note that regional councils were not surveyed.) Table 1 provides a summary of the responses received.

**Table 1: Summary of responses**

	<b>Number</b>	<b>Percentage</b>
Local authorities surveyed	72	100
Yes – we operate a panel	10	14
No – we do not operate a panel	42	58
No, and answered follow-up stage 2 questions	37	51
No response to any questions, and no evidence of urban design panel from web search	20	28
<b>Overall response rate</b>	<b>52</b>	<b>72</b>

By the end of the study an overall response rate of 72 per cent was achieved, which suggests there was a good representation of local authority views.



## 2 Analysis of responses

### 2.1 ‘Yes’ responses: We operate a panel

Ten local authorities responded ‘yes’ to operating a panel (or panels) of some description. Panels are in operation in the locations shown in table 2.

**Table 2: Locations operating urban design panels**

Location	Number of panels	Panel type
Auckland City	3	Independent panel of external experts for consent review Technical advisory groups for the Wynyard Quarter (for buildings) and the Urban Design Waterfront Review (for public spaces)
Christchurch City	2	Independent panel of external experts for Christchurch Independent panel of council and external experts and lay people for Akaroa (former Banks Peninsula District area)
Hamilton City	1	In-house review by external experts
Hastings City	1	In-house review by external experts
Horowhenua District	1	Independent panel of external experts to assess developer covenants
Manukau City	1	Independent panel of external experts
Nelson City / Tasman District	1	Independent panel of external experts
Queenstown–Lakes District	2	Independent panel of external experts (one for Queenstown and one for Wanaka)
Waitakere City	1	Independent panel of external experts
Wellington City Council	1	Technical advisory group for Wellington Waterfront

The detailed questionnaire responses from these local authorities are attached as Appendix 1.

The results of the survey show that there is a range of panel types operating nationwide. A number of local authorities also have in-house urban design staff who undertake assessments or commission independent expert advice from external sources on an as-needed basis. The purpose of this study is to examine situations where formal groups of experts are called together on a regular or semi-regular basis, for the purpose of specific urban design assessment of projects.

### The panel types in operation

It is useful to consider the different types of panels operating around New Zealand. These generally fall into four categories.

#### Independent panel of external experts

Panels of external professionals are operated by Auckland City, Manukau City, Waitakere City, Queenstown–Lakes District, Christchurch City, and Nelson City and Tasman District (joint panel). All but one of these panels are made up of paid external experts from a range of

professional fields, including urban designers. The only exception is the panel in Akaroa, which has always been a mix of professionals and lay people, and includes council staff. However, the lay members of the panel are considered to have good knowledge of local issues and are therefore considered to be ‘expert’ in issues specific to Akaroa, despite not having formal design-related qualifications.

### **In-house panel of external experts**

Hamilton City and Hastings District Councils both operate an in-house panel of external experts. These function as a ‘design clinic’, in that proceedings are not open to either the public or the applicants. Discussions take place behind closed doors, with external experts and relevant council staff present. The role of the panel is to provide additional expert urban design advice, particularly for large or significant projects, and to boost in-house assessment capabilities.

For several years Wellington City Council also operated an in-house clinic comprising a weekly meeting of urban design staff, with an external expert adding extra rigour to discussions. This has recently been discontinued following a restructure.

### **Technical advisory groups**

There are several technical advisory groups (TAGs) operating around the country. Wellington Waterfront TAG has been in operation since 1999 to provide specific urban design advice on development proposals on Wellington’s waterfront. This small panel of about five urban design-related experts appointed by the Wellington City Council and Wellington Waterfront Ltd provides a high level of rigour and consistency to the assessment of high-profile resource consents in a specific area covered by the Wellington Waterfront Framework.

Two TAGs have recently been established in Auckland, both also in relation to waterfront development. The Wynyard Quarter TAG (for buildings) and the Urban Design Waterfront Review TAG (for public spaces) function in much the same way as the Wellington Waterfront TAG by providing an additional degree of urban design scrutiny for a specific area.

### **Developer covenants**

A panel giving effect to developer covenants operates in Horowhenua District. Following the granting of several subdivisions in the district, conditions were volunteered by the applicant that placed covenants on the titles, requiring new buildings to be approved by a design panel. The design panel consists of the development company members and their elected design advisors. Guidelines for the subdivision have been developed by the developer to assist potential home owners and the design panel.

The panel does not have any formal status with the Council, but the guidelines aim to achieve a higher quality of design than is currently required by the district plan alone. A new building may therefore be able to meet the district plan requirements but may not get approval from the design panel. As the subdivision moves beyond the initial phase of development, the panel will also include residents of the development.

Developer covenants exist in other parts of the country, but the formation of a panel is unusual. The usual function of design covenants is to require submission of details about specific design aspect(s) of a proposal for further approval. Matters controlled by covenants often include design and appearance aspects, such as building location height, colour, materials and

landscaping. The increasing use of design covenants over quite large areas, and controlling a wide range of design aspects, may indicate that the planning system is not delivering high-quality design.

## **Monitoring and review**

Only two councils have undertaken a formal process of review and/or monitoring. The main reason for this is that it takes some time – often a number of years – for projects to move from the design stage to actual construction. Not many panels have been operating long enough to witness the construction of projects they have provided advice on. However, the panels in Queenstown–Lakes and Auckland City have now been operating long enough and have both conducted a thorough review of panel operation and the effects on built outcomes.

### **Auckland City panel review**

Auckland City Council's urban design panel has been in operation for six years, and an evaluation was begun in 2007 to assess the panel's achievements against its terms of reference. The review was first undertaken internally, with a second audit carried out by external consultants to follow up the initial findings with some specific in-depth case studies. Forty-four industry professionals were interviewed as part of the internal review. A meeting was held with council urban designers, the panel chairs and panel members. The review was completed in July 2009.

The review found that the panel was operating effectively and that there were demonstrable benefits to project outcomes in terms of improving urban design outcomes. A need for minor changes to membership and operation was identified to improve the panel process. The main procedural changes that were recommended involved the need for:

- more site visits undertaken by the panel to ensure familiarity with the site and the proposal
- the meeting protocol to be made clearer to all participants
- the clarity of panel minutes to be improved
- a consistency of approach for repeat meetings
- amendments to the triggers for a review by the panel in light of greater internal urban design capacity (including the establishment of an internal urban design review team for council capital expenditure projects), and to avoid potential delays resulting from the high volume of applications that currently require a review
- a regular refreshing of the panel membership to prevent the panel becoming stale, and to ensure succession planning
- the Group Manager, Urban Design, to be appointed as an ex officio member of the Urban Design Panel.

These proposed changes came into effect after being presented to the City Development Committee in September 2009.

In tandem with this, a review of the panel's success in influencing a better quality of development was undertaken. Ten examples of development that demonstrate improved urban design due to review by both in-house urban design officers and an external panel review are

illustrated in the document *Urban Design Wins around the Isthmus*.<sup>1</sup> Recurring aspects of urban design that have been improved in these examples are:

- a poor relationship between the building and the street
- car parking at ground level in front of buildings
- lack of provision for pedestrians around and into the site
- a poor relationship with adjacent open spaces
- poor site layout.

Some of the most visible examples of the panel's influence are seen in the large-scale building and streetscape projects recently constructed or under construction in the central business district. The high standard of recent council streetscape upgrades (such as the Queen Street project, Lorne Street and Khartoum Place) have all benefited from review by the panel. Ongoing large-scale projects, such as Britomart, have benefited from ongoing panel review as new buildings or spaces are designed. The outcome of this review can now be seen in buildings such as the Westpac Charter Building and East Building, currently under construction in Britomart.

### **Queenstown–Lakes panel review**

The panels in Queenstown and Wanaka (separate panels for each location, with only one common member) have also been operating for about six years. Three reviews have been undertaken of panel membership, and a number of projects that went before the panels for advice have now been built. In 2008 a report examined the impact the panels have had on the completed projects, and also what alternative processes exist to achieve the panels' primary objective of raising the standard of urban design in the district. The report was written by a council urban designer.

Since the Council started using panels, a little over 100 projects have been reviewed in Queenstown and around 40 in Wanaka. The study revealed that the impact of the panels on built outcomes showed considerable variation. The ability of the panel to effect change was markedly reduced when projects came before a panel at an advanced stage of design, which was common in the early period of panel operation. There were several projects where the panel's input had resulted in positive changes, and several that had not proceeded due to unsupportive panel recommendations.

The report found that the panels appeared to have had less impact in Wanaka than in Queenstown. Fewer significant projects have been completed there, and in several cases the panel's recommendations do not appear to have been followed. However, it is worth noting that building in Wanaka town centre has a controlled activity status, which means the Council cannot decline consents on the basis of poor design.

The report found that, on the whole, the panels provide an informed and balanced professional opinion that can add considerable weight during the Council's decision-making process, provided they are supported by provisions in the district plan. The report also examined the various options available to the Council as an alternative to the use of a panel, but no direct conclusion was drawn in relation to the panels operating in Queenstown–Lakes District.

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<sup>1</sup> [http://www.aucklandcity.govt.nz/council/members/committeemeetings/city/20090910\\_0930/CDC-10092009-OPN-AGD-%2307B.pdf](http://www.aucklandcity.govt.nz/council/members/committeemeetings/city/20090910_0930/CDC-10092009-OPN-AGD-%2307B.pdf)

An extensive survey was also carried out in 2008 of both the panel members and the applicants who had experienced the panel process. The feedback from panel members focused on procedural matters and was very mixed across most of the questions. Comments from the participants were also mixed. Some felt the experience was worthwhile, but there were a number of comments about how the panel focused on architectural critique and made irrelevant or commercially unviable suggestions for design modifications.

## 2.2 ‘No’ responses: We do not operate a panel

Forty-two local authorities, or 58 per cent, responded ‘no’ to having an urban design assessment panel or its equivalent. Of these, 37 answered the follow-up questions about why not. Twenty local authorities, or 28 per cent, did not answer any questions at all and a website search for each of these local authorities found no evidence of an urban design panel. A summary of responses from the 37 local authorities who replied to follow-up questions is provided in Appendix 2.

The determining factors for whether or not a local authority chooses to establish and operate an urban design panel appear to be:

- the content of the district plan and whether it gives any scope for specific urban design assessment
- the demographic characteristics of the local authority, including size, population and proportion of urban land
- budget considerations
- the availability of suitably qualified persons to form a panel.

Each of these is discussed below.

### District plan content

Many local authorities still operate under first-generation plans, prepared up to 10 years ago. The consideration of urban design outcomes in these plans is usually limited, with the plans generally focusing on the management of natural and physical resources. Research undertaken by the Ministry for the Environment in 2009 drew attention to the status of district plans across New Zealand.<sup>2</sup>

This research highlighted that one of the main factors underlying the variety of approaches in district plans across New Zealand is the lack of any definition of – or indeed any specific reference to – urban design in the Resource Management Act 1991. Urban design is not a matter of national importance in section 6, and not a matter that local government is required to include in a district plan under section 75. Most case law has indicated that consideration of urban design relies on the single reference to the maintenance and enhancement of amenity values in section 7. This somewhat tenuous link has survived rigorous challenge in the Environment Court, and a number of recent cases have even required councils to consider urban design matters in circumstances where there may be no specific urban design rules in a district plan.

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<sup>2</sup> Urban Design Stocktake of Resource Management Plans and Policies. Retrieved from <http://www.mfe.govt.nz/publications/urban/urban-design-stocktake-plans-policies-summary/index.html>.

There is considerable variation in the understanding and definition of urban design across first-generation district plans, and wide variation in the application of urban design considerations in resource consent applications.<sup>3</sup> Although many local authorities have now recognised the benefits of good urban design, the ability to implement this either through district plans or non-statutory measures is further limited due to lack of capability and expertise.<sup>4</sup> The Urban Design Protocol, and supporting tools and resources, provides a consistent definition of urban design and is influencing a number of second-generation plans. Consistent application of urban design principles may require further changes to urban design planning, and these are being considered in phase 2 of the Resource Management Act reforms.

## Demographic issues

At this stage, urban design is still seen by many – particularly in provincial and rural authorities – as an *urban* viewpoint, with more relevance to larger cities and towns. In particular, local authorities with larger non-urban areas seem to favour ‘landscape assessment’, as undertaken by a landscape architect. In many places, the only consideration given to urban design is in the layout of new subdivisions.

Several respondents argued that the number of applications they received was too low to justify the formation of a panel. Some respondents highlighted the rural nature of their locations as being a key determinant of the type of applications they received, stating that there was not considered to be any real need for urban design assessment or an urban design panel.

## Budget constraints

Some local authorities had ruled out more in-depth consideration of urban design issues because of budget constraints. The local authorities who had investigated implementing panels on a voluntary basis found that either there was limited interest in participating on these terms, or there was insufficient local expertise to ensure rigorous assessment.

Among those local authorities operating panels of external experts, Queenstown–Lakes District Council passed the cost of the panel’s operation on to the applicant, and this was a nominal amount. The reluctance of local authorities to either bear or pass on what they see as being the quite significant costs of expert advice no doubt restricts the formation of panels in some locations.

## Availability of suitably qualified professionals

Urban design has recently risen to a much greater prominence in resource management decisions, particularly in major cities. Although the actual qualifications of those providing ‘urban design advice’ was not specifically surveyed as part of this study, there appeared to be a variety of professionals involved in urban design assessment. (See Appendix 2 for an

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<sup>3</sup> Urban Design Stocktake of Resource Management Plans and Policies. Retrieved from <http://www.mfe.govt.nz/publications/urban/urban-design-stocktake-plans-policies-summary/index.html>.

<sup>4</sup> *A Survey of Local Government Authorities Urban Design Capabilities*. Retrieved from <http://www.mfe.govt.nz/publications/urban/survey-local-government-authorities-sep06/index.html>.

indication of this.) This was also evident in a study undertaken for the Ministry for the Environment in 2006.<sup>5</sup>

The variety of professional qualifications of those doing urban design assessment is no doubt partly due to the lack of tertiary provision of specific urban design courses in New Zealand until relatively recently. The disciplines of architecture, landscape architecture and planning introduce some of the skills required of an urban designer, and most local authorities recognise the benefit of including such views as part of overall urban design assessment. However, urban design is broader than any of these disciplines, and the lack of professionals with formal urban design qualifications was cited as a limitation in assembling a panel in several locations.

However, a noticeable number of local authorities considered that despite having no formally qualified urban designers on staff, they have the in-house capability and skills to undertake urban design assessment as part of the usual resource consent assessment process. This may be in part due to differing interpretations of what ‘urban design’ means (as discussed in the section above on ‘Demographic issues’ and below under ‘The definition of urban design’).

## 2.3 Other issues

### The definition of ‘urban design’

The definition of ‘urban design’ given in the New Zealand Urban Design Protocol is:

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 the outcomes of design.<sup>6</sup>

Not all the local authorities surveyed are signatories to the Protocol. It also became apparent during this survey that the perception of the scope and definition of what ‘urban design’ involves varies widely across the country. In several places bulk and location controls were considered to be the only relevant urban design tools. In other locations objectives and policies were more specifically targeted at identified urban design outcomes, but a lot of weight was still placed on compliance with rules. Several local authorities indicated that they considered urban design assessment was only relevant for new subdivisions.

A noticeable number of respondents stated that a lack of “relevant” applications meant that urban design assessment was not often undertaken. The point raised in the section on ‘Demographic issues’ (above) was quoted frequently in these instances, with there being a general perception that urban design was for urban places only. Only relatively few respondents indicated that urban design controls might be relevant to their provincial or rural towns, despite some of these places being a reasonable size. Heritage or character preservation concerns were more likely to be mentioned in many places.

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<sup>5</sup> *A Survey of Local Government Authorities Urban Design Capabilities*. Retrieved from <http://www.mfe.govt.nz/publications/urban/survey-local-government-authorities-sep06/index.html>

<sup>6</sup> Ministry for the Environment. 2005. *New Zealand Urban Design Protocol*. Retrieved from <http://www.mfe.govt.nz/publications/urban/design-protocol-mar05/index.html>

Overall, then, the perception of what urban design entails varies widely across the country, with provincial and rural authorities generally seeing it as less relevant to their resource management outcomes. There also appeared to be a lack of a coherent view about what urban design might involve. This shows that an opportunity exists to raise awareness about the scope and depth of what urban design can do, and its benefits to places of all sizes and demographics.

## **Timeliness**

Several local authorities were reluctant to undertake more specific urban design assessment on the grounds that it would add another layer to decision making. Also, with the increased emphasis placed on timeliness by the recent RMA amendments, they felt it would potentially place them in a vulnerable position in terms of refunding consent fees if they could not comply with timeframes.

Timeliness is largely a function of internal processes and having good systems in place to ensure consents are assessed efficiently. However, for many local authorities, particularly those in predominantly rural locations and with a small planning department, having access to suitably qualified professional urban designers inevitably means out-sourcing work and/or paying consultants or contractors. The difficulties in finding a suitably qualified person and engaging them on a short timeframe, particularly to meet RMA deadlines, are worth noting.

## **External review of applications**

A number of councils request external reviews of individual consents on an ‘as needed’ basis in lieu of creating a formal or regular review panel. The reasons given for undertaking application-specific review usually centred on increasing the rigour and objectiveness of an assessment, or dealing with overflow consent numbers. The advantages of this approach over forming a panel generally fall under the areas of reduced cost and reduced administrative burden to councils.

The survey revealed evidence of external peer review being used in situations where:

- there was disagreement between the applicant and council staff on design issues
- applications were significant in terms of size or cost
- applications related to council capital projects
- in-house urban design staff were occupied by other projects, or when there was an ‘overflow’ of consent numbers.

The only issue raised in relation to this approach was consistency of advice, particularly when a number of different reviewers were engaged by a local authority. Otherwise, it is a relevant and useful way for local authorities with a low number of consents requiring urban design comments to gain professional advice and recommendations.



## **3 Why have panels not been set up in particular locations?**

Several councils responded that they had formally considered the option of creating an external urban design panel but had decided not to proceed with establishment. Five of these are discussed below as examples of why panels are often considered but not created.

### **3.1 North Shore City Council**

In October 2008, North Shore City Council (NSCC) called for local experts to submit expressions of interest to sit on a voluntary local urban design assessment panel. This was one of NSCC's actions as an Urban Design Protocol signatory to investigate having an urban design panel. Twenty-three expressions of interest were received, of which five were from people with formal architecture qualifications.

A decision was made not to form a panel, primarily due to a lack of expertise available on a voluntary basis. This decision was supported by councillors. Afterwards a review of the exercise highlighted the following issues:

- councillors wanted a good-quality panel but expected voluntary involvement, which no doubt limited interest
- the breadth and depth of interest attracted was not sufficient
- there was a lack of specific urban design skills among those who showed an interest
- there was insufficient funding available to pay members. Administrative support could be provided from within existing budgets, but there was no extra funding available.

The Council's Urban Design Protocol action plan also recommended investigating the development of a design clinic, but this has not been pursued. The uncertainty created by the proposed amalgamation of the Auckland councils has also meant that creating a panel and a clinic was put aside; it was felt there were more important issues for the council to focus on. Urban design assessment at NSCC is undertaken by council staff, including an in-house urban designer.

### **3.2 Wellington City Council**

The Wellington City District Plan contains urban design objectives and policies, and has for many years included statutory design guides. Wellington City Council (WCC) also continues to introduce further measures to embed urban design quality in its regulatory regime, mainly through plan changes. There has been at least one urban designer on the staff for over 18 years, providing urban design assessment advice on resource consents. WCC is a signatory to the Urban Design Protocol.

A separate urban design team was formed in 1992. This team has been responsible for both resource consent assessment and urban design advice across the wider Council, and has contained between 1.5 and four qualified urban designers in recent times. External experts

have also been used in overflow situations to bump up assessment capacity and to undertake peer review.

WCC considered the option of an external urban design review panel in 2006, and a full assessment was undertaken of this option by an external consultant. Following this review, the decision was made to continue to use in-house assessment due to the strength and success of this approach. This report was followed in 2007 by another study of potential process enhancements, with suggestions made to streamline urban design advice.

One of the more significant proposed enhancements implemented was a weekly in-house meeting to discuss significant applications with urban design aspects. This meeting involved all urban design staff processing consents, the relevant planners, and a paid external expert to provide balance and peer review. This process was discontinued at the end of 2009, and in-house assessment is now undertaken by internal team members, without external peer review, unless requested by the applicant.

### **3.3 Kaikoura District Council**

Kaikoura District is a signatory to the Urban Design Protocol. Their district plan contains no specific urban design objectives and policies, but it does contain landscape, amenity and energy efficiency guidelines. These were formulated before the Urban Design Protocol but are along the same lines. The subdivision chapter has objectives and policies relating to subdivision amenity and design. The Planning team assesses proposals, and seeks external expert urban design advice when required.

The establishment of an urban design assessment panel has been considered. Currently the Hearings and Applications Committee considers resource consent and designation decisions. It is made up of elected members, rūnanga members and community representatives. The Council considers there is a positive mix of membership and expert input, which results in sound decision making and removes the need to create a specific urban design panel at this stage.

### **3.4 Grey District Council**

Consideration has been given to creating an external panel, but the idea has not been progressed due to the current lack of support in the district plan for specific urban design assessment. Low-level emphasis put on urban design issues due to lack of urban design focus in the district plan was a common reason given by several smaller local authorities. Grey District was not a signatory to the Urban Design Protocol at the time of writing this report.

### **3.5 Hutt City Council**

There are design guides in the district plan for two specific areas of the city. At the time of writing this report there was one urban designer on the staff. The focus of this person's work is generally on policy and strategic outcomes, with urban design assessment for consents usually done by an external consultant. An external panel has been considered, but there was resistance to establishing a panel based on the perceived administrative burden it would place on the Council. Hutt City is a signatory to the Urban Design Protocol.

## 4 International comparisons

There are a number of well-known international examples of urban design panels. The most prominent of these operate in large cities or over large metropolitan areas. Two examples are profiled here to show two different types of panels. Seattle (in the USA) operates urban design reviews in a manner more familiar to the New Zealand context, being a city-led approach to specific development projects.

The English Commission for Architecture and the Built Environment (CABE) panels have a much more wide-ranging scope, and operate both regionally and nationally. For projects of regional or national significance, this ensures high-quality advice is given on projects that have the potential to have major impacts on either the locality, the region or the nation as a whole. The only opportunity for this level of scrutiny that currently exists in New Zealand is the consideration of projects of national significance either by a board of inquiry or by the Environment Court.

The use of urban design panels is gaining impetus worldwide as the importance of good urban design is given more emphasis by city governments. Other panels operating in various locations (which have not been examined in detail for this study) cover a similar range of options, from application-specific assessment to regional advice.

### 4.1 England, UK: Commission for Architecture and the Built Environment

The Commission for Architecture and the Built Environment (CABE) operates a free design advisory service in the form of review panels offering expert independent assessment of schemes at an early stage. The Commission assesses schemes of national importance, or that have a significant effect on the local environment, or that set standards for future development. CABE is a statutory body, but it gives non-statutory advice within the planning process.

The CABE National Design Review Panel conducts design audits of specific developments and has published guidance reports on retail developments, tall buildings, urban housing and master plans. This national panel was established in 1999 and has conducted around 3000 reviews. The panel is made up of leading members of England's architectural, built environment and creative communities. CABE's design review provides advice on up to 400 schemes per year, of which about 80 are presented at the monthly presentation panel.

There are also a number of other review panels for specific projects (eg, London 2012 and the Eco-Towns panel), and CABE is also affiliated with eight independent regional design review panels, with which they work to provide consistent, good-quality design advice across England. CABE works with these bodies to allocate schemes that are submitted for design review to either CABE's design review panel or one of the affiliated panels. Information on incoming schemes is shared to ensure they are reviewed at the appropriate level.

CABE has also published guidance and resources on their website about operating successful design review.<sup>7</sup> There are two types of CABE design review processes: presentation panel reviews and internal reviews.

## **Presentation panel reviews**

In panel presentation reviews, schemes are presented to the panel by those involved. This can include architects, local authorities, clients or other organisations. Up to six panel members attend each presentation panel review meeting. Before the presentation, CABE's case officer for the scheme will have visited the site and met the design team and others involved. Presentation materials include architectural models, plans, elevations, computer-generated images and other contextual information. After the presentation, panel members discuss the scheme with those involved. The chair then summarises the panel members' views. Six to eight schemes are normally reviewed at every meeting.

## **Internal reviews**

In internal reviews, schemes are reviewed by a chair of the national design review panel, a member of the panel and design review staff. Reviewed materials can include architectural models, plans, elevations, computer-generated images, and other contextual information. Up to 24 schemes every month are reviewed in this way.

## **Panel outcomes**

After either sort of review, a letter containing the panel's views is sent to the designers and the local planning authority, and it may also be copied to other relevant parties. CABE's advice on a scheme is informed by both the panel and by CABE staff. If a scheme is the subject of a planning application, the review letter will be published on CABE's website. All other reviews are confidential. Regular review and monitoring are a part of all CABE panels.

## **4.2 Seattle, USA: Seattle Design Commission and Seattle Design Review Programme**

The city of Seattle operates a number of citizen-led boards appointed by the mayor and city council to review the design of projects. There is one Design Commission, seven Design Review Boards, one Planning Commission, four Historic District Boards and one Landmarks Preservations Board. The Design Commission and Design Review Boards are highlighted below.

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<sup>7</sup> [http://www.cabe.org.uk/publications/listing?tag=Design review&tagId=43&type=publications](http://www.cabe.org.uk/publications/listing?tag=Design%20review&tagId=43&type=publications)

## Seattle Design Commission

In 1968 the Seattle City Council created the Seattle Design Commission<sup>8</sup> after urging from many groups, including the American Institute of Architects, who were concerned about the design quality of the city's buildings. The Commission advises the mayor, city council and city departments on the design of capital improvement projects as well as projects on city land, in the city, rights-of-way, or constructed with city dollars.

The Seattle Design Commission's responsibilities include:

- conducting project reviews
- capital improvement projects
- right-of-way projects
- major projects, including transportation infrastructure and master plans
- making recommendations to officials on the city's projects
- holding design workshops to explore solutions for projects
- publishing issue papers on design-related topics.

The Seattle Design Commission consists of 10 citizens, each of whom has a background in a design profession. Commissioners are appointed by the mayor and confirmed by the city council. The term of appointment is two years, which begins in October and may be renewed once. Decisions of the Commission are advisory and non-binding.

Several staff from the City of Seattle's Department of Planning and Development work part time to support the Design Commission. They facilitate the Commission's strategic direction, schedule project reviews, and record minutes of the Commission's meetings, communicate the Commission's recommendations to the mayor, city council and city's departments, recruit and train new commissioners, and provide administrative and planning support for the Commission's special events.

## Seattle Design Review Boards

The City of Seattle developed the Design Review Program in response to the city's building boom of the 1980s, when hundreds of new, poorly designed or out-of-scale multi-family and commercial buildings cropped up throughout Seattle's neighbourhoods. Citizens, designers and developers all bemoaned the city's development process. The lack of flexibility in the city's zoning standards did not allow for creativity in design or recognise unusual lot or siting configurations.

The city was determined to address these problems. After almost two years of study and deliberation by a citizens' advisory committee and city staff, the city council passed Seattle Municipal Code 23.41 in 1993, which created the Design Review Program.<sup>9</sup> The city council also adopted design review guidelines – beginning with the *Design Review Guidelines for Multifamily and Commercial Buildings* – for developers, designers and Design Review Boards to use.

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<sup>8</sup> [http://www.seattle.gov/dpd/Planning/Design\\_Commission/Overview/default.asp](http://www.seattle.gov/dpd/Planning/Design_Commission/Overview/default.asp)

<sup>9</sup> [http://www.seattle.gov/dpd/planning/design\\_review\\_program/overview/](http://www.seattle.gov/dpd/planning/design_review_program/overview/)

There are seven Design Review Boards, created in 1994, which are neighbourhood-based. There are five members per board, making 35 in total. Panellists are appointed by the mayor and council for a term of two years, which can be renewed. Each board meets twice a month. Decisions have advisory/regulatory status due to the link with the city's design guides.

The Department of Planning and Development's Design Review Program and its boards review private development projects in Seattle. Only commercial and multi-family developments that exceed a certain size threshold in certain land-use zones are reviewed at this stage, but the Department is developing a new review process to apply to townhouse development.

The Design Review Program was created to:

- encourage better design and site planning that enhances the character of the city and ensures that new development fits sensitively into neighbourhoods
- provide flexibility in the application of development standards
- improve communication and participation among developers, neighbours and the city early in the design and siting of new development.

The Design Review Board reviews projects at public meetings at least twice: at an early design guidance phase and a recommendation phase. For smaller projects, the Department of Planning and Development assigns a design review planner to perform the review instead of the board.

## 5 Discussion

Across New Zealand, urban design assessment takes many forms, but two main types of urban design panels are:

- an independent panel of external experts (including technical advisory groups)
- an in-house panel of external experts who function as a ‘design clinic’.

Assessment by in-house staff and specifically commissioned external peer review are also key assessment mechanisms.

### 5.1 Do external expert panels work?

External expert panels have only been established in metropolitan centres. This reflects development pressure, staffing levels, the availability of expertise and the greater degree of urban design weight given by district plans.

In general terms, it seems that the panels of external experts that are currently operating in New Zealand are having a positive effect on built outcomes, either by improving the standard of design or by being able to eliminate poorly designed proposals from further consideration. The panels have also improved the quality of applications subsequently received, and have raised the profile and importance of urban design issues in the development community.

The following positive comments were offered by respondents about the benefits of a panel.

- The differing viewpoints and areas of expertise of panel members helps keep the discussion balanced.
- Acceptance of the panel’s reporting is good, because many developers see the panel’s reporting as an assessment by a ‘jury of peers’ rather than engaging in a two-way conversation with the council.
- Separation from the council’s in-house assessment is beneficial, and the impartiality of a panel improves the quality of the outcomes.
- The degree of scrutiny a project can receive at an early stage is beneficial.
- Better-resolved designs are lodged as consents save time and money, for both applicants and councils.

Of the above points, the most often-mentioned benefit was the role of a panel in providing an impartial view and removing the often tense ‘conversation’ between developers and councils.

The use of panels does have its limitations, though, and feedback from surveyed recipients included the following comments.

- The limits imposed by non-regulatory processes and outcomes must be recognised.
- District plans often offer insufficient backup to give urban design recommendations satisfactory weight in the decision-making process.
- In the case of a controlled activity, there is no opportunity to decline a consent even if the design outcomes are considered unsatisfactory.

- Urban design assessment is qualitative, but it sometimes gets over-ridden by quantitative considerations (eg, traffic counts, parking space numbers or wind speeds) at the point of decision making.
- Having a large pool of panellists available means there can be issues with inconsistency of advice if the panel composition changes.
- It is sometimes difficult for panellists to keep to matters of urban design and not stray into architectural critique or areas of personal taste.
- There are sometimes difficulties of distance and cost to convene the panel.
- Given a small pool of available panellists, it can sometimes be difficult to convene a panel due to conflicts of interest.

The most often-mentioned drawback was the purely ‘advisory’ status of a panel’s advice or recommendations, and the lack of weight this can have when it comes to making a decision on a resource consent.

## 5.2 Are panels right for everyone?

In scoping the Resource Management Phase 2 reforms, urban design panels are being investigated because they are seen as tools that are available for implementing urban development but that are not used to their full potential.<sup>10</sup>

Any legislative changes to the status of urban design panels would be a challenging prospect due to the great variety of local authorities nationwide. The variety extends across every facet of council operation, including the land area, population, budget, skill set of staff, sophistication of district plans, and fundamental resource management issues faced by each individual local authority. It would be difficult – and of questionable wisdom – to try to impose a ‘one size fits all’ mechanism to this variety.

This study shows that many local authorities already use the assessment approach that suits them best and takes into account operational and practical limitations. In practice, a ‘best fit’ approach for local authorities, using a mix of approaches depending on the scope and significance of applications and the resources available to them, would seem to be the best way to go.

## 5.3 Best practice for operating a panel

The Commission for Architecture and the Built Environment (CABE) documents *How to Do Design Review* and *Design Review: Principles and Practice* are useful references in terms of setting up and operating a panel. Although CABE operates at a national level in the UK, their guidance on the successful operation of a panel is generic and would be relevant for the New Zealand context.<sup>11</sup> *How to Do Design Review* also lists ‘Ten tips for success’, as follows.

1. **Provide sufficient resources.** Doing design review well is not cheap. Adequate financial and staff support is essential to ensure an effective and professional operation and sufficient space.

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<sup>10</sup> <http://www.mfe.govt.nz/cabinet-papers/progress-phase-two-resource-management-reforms.html>

<sup>11</sup> [http://www.cabe.org.uk/publications/listing?tag=Design review&tagId=43&type=publications](http://www.cabe.org.uk/publications/listing?tag=Design+review&tagId=43&type=publications)



2. **Sort out the logistics.** Good administrative support is required to coordinate the review and allow for easy presentation of material. The room provided should allow for a presentation the panel can see and hear clearly in order to gain a thorough understanding of a scheme.
3. **Write good reports.** Writing up the panel meetings is an important skill. High-calibre advice from panel members will be wasted if advice is not communicated clearly and effectively afterwards.
4. **Allow independence.** A panel should be independent, free to say what it thinks, and not obliged to modify its views to suit someone else's policies. It is there to advise, not to decide or instruct. It should speak as it finds and let others decide how to act on the advice.
5. **Get the timing right.** Panels must review schemes at the right stage. This means seeing projects sooner rather than later, when designs are still being developed and designers can take on board suggestions readily. This would mean urban design panels undertaking design review at a pre-application stage.
6. **Ensure good panel membership.** Panel members should be experts with a diverse range of backgrounds, skills and expertise.
7. **Appoint an able chair.** The panel chair must be skilled at chairing meetings, as well as respected in their field: they must have people skills as well as professional skills.
8. **Explain the purpose of advice.** Be clear about who the advice is for and what they are expected to do about it.
9. **Give praise as well as criticism.** Advice should be positive about good aspects as well as critical of flaws.
10. **Stay public.** Local residents, groups and the press are likely to be interested in the panel's views. The scrutineers should be prepared to be scrutinised, so the panel should be as public in their views as they can.

Taking the findings of this report into consideration, the following could be added to the list of best practice considerations.

11. **The terms of reference need to be publicly available.** This ensures the transparent operation of a panel and allows for more effective review.
12. **Panels need to be monitored and reviewed.** The frequency of review and monitoring should be outlined in the terms of reference. This is necessary to ensure a panel is operating efficiently and effectively, and that its ongoing operation is justified.
13. **Advice provided by a panel needs to be written.** Verbal advice is more informal but lacks the certainty of written recommendations.
14. **Links need to be made back to district plan improvement.** The most effective tool in securing good urban design outcomes is the provision of statutory requirements in a district plan. Panel recommendations will only have weight if they are appropriately supported by related provisions in the district plan. Panel recommendations should be regularly examined by those responsible for policy formulation to determine whether changes could be made to the statutory tools to encourage better urban design outcomes.
15. **Participation of applicants is voluntary but should be strongly encouraged.** The benefits of good urban design should be highlighted to all potential applicants.

## 5.4 The role of pre-application advice

Most councils either using a panel or undertaking urban design assessment are aware of the benefits of urban design advice being given at an early stage of a development proposal. Most panels prefer to operate at the pre-application stage, although participation at this stage is usually at the discretion of the applicant.

This study found that many developers also understand the benefits of gaining pre-application advice and direction, particularly on major projects. The ability to gain independent advice is valued by developers, particularly when a situation of conflict exists with council's in-house staff, or additional guidance is sought. However, it can be a challenge to get developers to front up to the panel early enough in the development process if participation is voluntary (as experienced in Auckland, particularly at the outset of the panel's operation). Experience in Auckland and Queenstown demonstrates that it takes some time after a panel is established before it is appreciated as adding value rather than just another layer of bureaucracy.

Several respondents noted the increased challenge for panels when applicants appeared before them for the first time with fully developed drawings at the application stage. Applicants are usually much more resistant to accommodating changes at this stage, as significant investment (of both time and money) has usually been made to get a proposal to the stage of making a formal application. However, participation in pre-application meetings is not compulsory, and this will continue to mean that panels will encounter some applicants with fully developed proposals and a general level of unwillingness to accommodate design changes.

There was a range of responses to the provision of pre-application advice when a panel was not used. Some local authorities charge for it in various ways, others do not. Some councils provide written advice at pre-application meetings, and some provide verbal advice. The advice given is almost always on a 'without prejudice' basis, and while this was often found to be beneficial, if issues are missed this can cause problems for applicants later on. The benefit of panel involvement at the pre-application stage is that applicants are given a formal written report, and projects are given a very detailed level of scrutiny at an early stage.

An example of a relatively formal pre-application process is that found in Wellington City Council, which operates a system of pre-application meetings whereby potential applicants are offered two hours of officer time without charge at the pre-application stage (further pre-application meetings are able to be held, but these incur a charge). A Council urban designer can attend these meetings if there are urban design concerns. Wellington City Council does not operate a panel, so the aim of these meetings is to try to improve the quality of urban design aspects of applications and reduce potential delays and costs during the formal consent process.

# 6 Conclusions and recommendations

## 6.1 Conclusions

It is apparent from this research that there is a wide range of options available to local authorities to undertake urban design assessment at various stages of the application process. These options include:

- assessment by a panel of external experts
- assessment by an in-house panel, which may include external experts
- assessment by in-house staff
- external peer review of individual applications
- use of pre-application meetings for initial advice.

It is also evident from the survey that the greatest value of urban design review is at an early stage, preferably before a full design is developed.

Given the large range of local authority types and demographics, and the equally wide variety in the content of district plans, it would seem that allowing each authority to choose a method of urban design assessment that suits them best is, for the moment, a practical approach. There also seems to be merit in adopting a flexible approach: using different assessment methods, or a combination of the above methods, to ensure robust advice that meets Resource Management Act timeliness requirements.

In a number of areas the Ministry for the Environment could offer support and/or coordination to those local authorities wishing to improve or increase their capacity for urban design assessment. The main area of need is the ability of smaller provincial and rural authorities to access urban design advice when needed, such as in large or significant urban projects which they would not normally review. A national pool of local council urban design advisors to which authorities could refer, as and when needed, would be beneficial. This could be similar to how regional council building consent officers with specialist knowledge (eg, on dams) are available nationwide.

Projects of national significance may also benefit from a nationwide urban design approach and the advice of a pool of expert advisors. This may be particularly useful for large infrastructure projects or projects with a large amount of central government money, or for developments that cross two or more local authority boundaries. This is a separate area of investigation and research, which is listed in the recommendations.

## 6.2 Recommendations

From the survey it has become evident that there are a number of ways in which urban design assessment, and the operation of urban design panels, could be improved and supported and therefore given more weight in the decision-making process. These are encapsulated in the following recommendations.

1. Provide best practice guidance for local authorities wishing to set up an urban design panel: this guidance would create greater consistency nationwide on how urban design panels operate and are monitored, and would provide standard terms of reference.
2. Provide support for nationwide training for those sitting on urban design panels, to create a consistent decision-making process.
3. Investigate ways to assist provincial and rural councils to give urban design advice, particularly for projects in their area that are large or significant.
4. Continue to provide research, guidance and training on urban design issues, objectives, policies and rules in district plans to ensure these are written to give effectiveness and weight to urban design matters where relevant: this will give decision makers the tools to make robust decisions that can include consideration of urban design matters.

# Appendix 1: New Zealand Urban Design Review Panels

## 1 Auckland City Council

**What was the trigger for establishing the panel?**

**What investigation was undertaken before the panel was established?**

**Was the panel formally established? If yes, how?**

The concept of an Urban Design panel was initially contemplated as part of Council's growth management strategy in 2001. In 2002 it was resolved to establish a six-month trial in the Central Area. In November 2003, a review of the panel's operation extended its scope to major developments in the isthmus and gulf islands.

**When was the panel established?**

2003 for central area only, later expanded to city-wide. Has reviewed almost 600 development proposals in this time.

**Is the panel an in-house mechanism or made up of outside experts?**

External experts.

**What is the makeup of members?**

Professional with specialist skills in the areas of urban design, architecture, landscape architecture, development and property.

**How are members recruited?**

Professional institutes nominate members or they are 'shoulder tapped'. The pool of members is approved by Council committee.

**What training do panel members receive?**

Briefings and information on district plan assessment criteria, natural justice and conflicts of interest. No specific training on urban design, reliance on panel members' professional expertise.

**How long do panel members remain on the panel?**

Three years.

**Are panel members paid?**

Yes.

**Does the panel have Terms of Reference?**

Yes. Available on the website.

**Are there any policies, controls or rules in relation to urban design assessment in the district plan? (Include design guides, UD-related rules or reference to panel assessment.)**

Yes, urban design criteria and non-statutory Design Guides. The Council has a non-statutory Urban Design Framework, and many other strategic documents with urban design links and objectives.

**What are the triggers for projects to be referred to the Panel?**

*Mandatory UDP review*

- Developments of 20 or more residential units in the isthmus
- Any significant new building or alteration in the Business 1-3 or mixed use zones
- Major scale Council projects (with a value of over \$5 million), including streetscape upgrades and community facilities
- Any significant new building or alteration within the central area.

*Optional UDP review (discretion rests with a quorum of three council officers)*

- Developments of 10 or more residential units in any zone
- Any significant new building or alteration in an area subject to a Centre Plan or special character overlay
- Any development adjacent to or within the surrounds of a Scheduled Building
- Integrated Housing Developments or Planned Unit Developments
- Any significant new building or alteration within the Business 4 zone
- Any significant new building or alteration in any business zone within 30m of a residential zone
- Minor scale council projects, including streetscape upgrades and community facilities
- Any significant new building or alteration in the Residential 1, 2 and 3 zones
- Any significant new building or alteration on a site adjoining or opposite significant public open space
- Any resource consent application raising urban design issues not covered above.

These were reviewed and revised in late 2009.

**Can applicants request that their proposal be referred to the panel?**

Yes.

**At what stage in the application process does a project get (1) referred to and (2) considered by the panel?**

Preferably at pre-application stage, but this is not mandatory.

**Does the panel cover the whole TA area, or just a specific part?**

Whole area.

**How often are panel meetings held?**

Weekly, with the ability to call extra meetings if required.

**If they are regular, how many applications are heard per session?**

Up to three per panel.

**Is a time limit set for each application to be discussed?**

Yes, due to volume of applications. One hour allocated, but applicants can request more.

**Are there any specific requirements for information to be submitted to the panel? Quantity of documents, size/scale of plans etc? Does the applicant or the TA supply this?**

Application form and checklist with information requirements, available on the website.

**Are meetings open to the public?**

**Is the applicant present?**

Meetings are open to the public if an application has been lodged, but confidential if at pre-application stage.

**What is the composition of the panel? Quorum?**

There is a core panel of six members. Quorum is four. The group manager, Urban Design is an ex-officio member following the 2009 review.

Skills	Central area	City-wide
	Experience in central area development	Experience in intensive housing and/ or mixed-use development
Urban design	One member nominated by New Zealand Institute of Architects (NZIA)	One member nominated by NZIA
Architecture	At least two members nominated by NZIA	Two members nominated by NZIA
Landscape architecture	Alternate to third architect nominated by NZIA or New Zealand Institute of Landscape Architects (NZILA)	One member nominated by NZIA
Property	Two members nominated by Property Council New Zealand (PCNZ)	Two members nominated by PCNZ
Planning	Planning expertise provided in-house by Auckland city staff, nominated consultants and members of the New Zealand Planning Institute (NZPI) serving on the panel.	

**How far in advance is information sent to panel members?**

Three days in advance of meeting.

**What is the outcome of the panel's involvement?**

**How are the recommendations/advice given?**

Recommendations are drafted and approved at the meeting. Recommendations have a hierarchy of importance – fundamental, significant, other.

**What happens to this advice?**

Sent to the applicant in a letter, and referred to in final planner's report for consent.

**What follow-up occurs after the panel meeting?**

Ideally planner meets with applicant to discuss revision of application to receive support. Applicants offered further meetings with panel if required.

**What administrative support does the panel receive?**

Council planner present, plus Democracy Services administrative support of up to 0.5FTE for busy weeks. Administration also manages panellists in terms of panel assembly, invoicing etc.

**How is the panel funded?**

Free to applicant, fully Council funded.

**Is there any review or monitoring of the panel's outcomes at a later date?**

Yes. Review has just been undertaken in late 2009. It recommended changes to both the panel's composition and the triggers required for referral.

**Have you had any feedback about public perception of the effectiveness of the panel?**

Value of early urban design advice in development process is now well-recognised, many developers now keen to get this advice. Development industry professionals interviewed as part of 2009 review process, many were encouraged by the panel's existence, with agreement that the panel has had a positive impact on planning and designing Auckland's built form. Panel members have noted an increase in the quality of schemes presented for consideration. Many felt the 'bar had been raised' for urban design in the city.

**Have any management issues arisen through use of the panel?**

- Challenges in assembling a panel due to availability.
- Change in panel membership was identified in the review as a frustration to applicants.
- Reimbursement level can be a disincentive for some panellists.
- Quality and timeliness of agenda material.
- Clarity and tenor of written recommendations – some thought that the panel minutes/recommendations were not always useful, consistent, easily applied or understood. District Plan rules and criteria sometimes in conflict with better urban design outcomes – difficulty in encouraging better result if applicant wants to stick to rules.
- Initial reluctance of developers to come before panel at an early stage in design process has now generally been overcome.

**Is it proposed to improve the efficiency or effectiveness of the panel in the future in any way? If yes, how?**

Panel will undergo regular review and changes made as required. Last round of improvements made in late 2009.



## 2 Manukau City Council

### **What was the trigger for establishing the panel?**

It was part of Manukau City Council's response to the Ministry for the Environment Urban Design Protocol.

### **What investigation was undertaken before the panel was established?**

A review of Panels around the world and in New Zealand was undertaken. A six month trial was undertaken before Council made a final decision to establish an Urban Design Panel.

### **Was the panel formally established? If yes, how?**

Yes it was formally established. Initially established on a six month trial basis. A review was undertaken which confirmed the Panel added value and the Council agreed to appoint a permanent design panel.

### **What is the panel's 'mission' or mandate?**

The purpose of the Urban Design Panel is to promote high quality urban design outcomes.

### **When was the panel established?**

It was permanently established in January 2007.

### **Is the panel an in-house mechanism or made up of outside experts?**

Outside experts only.

### **What is the make-up of members? (Background/experience rather than names)**

Four permanent members. They are all senior practitioners drawn from landscape architecture, urban design and architecture.

### **How are members recruited?**

Initially asked through expressions of interest.

### **What training do panel members receive?**

Initial briefing on policy issues and protocols for the panel.

### **How long do panel members remain on the panel?**

Contracts are reviewed annually.

### **Are panel members paid?**

Yes at \$150 + GST per hour.

### **Does the panel have Terms of Reference?**

Yes – A Guide to the Manukau City Council Urban Design Panel.

### **Are there any policies, controls or rules in relation to urban design assessment in the district plan? (Include design guides, UD-related rules or reference to panel assessment.)**

The Manukau District Plan became operative in 2002. There are extensive general policies relating to urban design issues. There is a medium density design guide (Chapter 13).

A large number of issues, objectives and policies aim to retain amenity values within the district. These have been clubbed as performance standards.

The Council has identified its urban design action plan and urban design panel as methods for achieving the amenity objectives. There is a Design Guide for Intensive Housing and structure plans for several areas that help achieve objectives relating to amenity. Plan Changes 23, 4 and 8 propose to introduce a number of amenity provisions.

The Plan provides for mixed uses, by allowing a wide range of activities in the business zones. Plan Change 12 aims to promote a diverse range of business activities. Plan Change 23 proposes to provide for mixed uses within the Waterside Business Area. There is specific provision for large format retail activities in the Flat Bush section and assessment criteria include matters relating to urban design issues.

There are provisions in the Flat Bush section of the Plan that reward/allow increasing densities in association with open space. The Plan also allows for higher densities in the main residential zone around town centres (Business 2, 3, 4) and around transportation corridors.

There are a number of provisions that provide for a variety of housing types and section sizes. Proposed Plan Change 12 introduces a policy aimed at ensuring that new development within town centres provides for a diverse range of residential activities. Plan Changes 17, 8 and 4 propose to introduce a number of provisions to consider residential buildings in relation to the street. The Design Guide for Intensive Housing provides details on yards, setbacks etc.

There are two provisions within the Plan for the mitigation of noise. Plan Change 8 proposes to introduce a rule for activities sensitive to aircraft noise (ASAN).

There are a large number of provisions which encourage crime prevention through environmental design principles. The Council has a Crime Prevention Action Plan to implement the provisions within the Plan.

There are several provisions that aim to retain a 'sense of place', with special emphasis given in the Flat Bush section of the Plan. Plan Change 12 proposes to introduce a provision which specifically refers to a 'sense of place'.

There are a high number of objectives and policies which aim to avoid the loss of heritage values. There are also a number of non-regulatory provisions provided.

There are several provisions that promote better designed streets and streetscape, open space areas associated with stormwater, utilities and streets or clear boundaries between public and private open space. These are covered by way of objectives, policies rules and assessment criteria that aim to achieve urban design issues.

There are a number of provisions in the Plan which promote walking and cycling. A number of methods such as a design code and structure plans with street layouts which achieve high levels of pedestrian and cycle permeability are referred to in the Plan.

There are a number of provisions within the Public Open Space and Flat Bush sections that facilitate green networks that link public open space or streets and other thoroughfares designed as positive spaces with multiple functions.

A large number of provisions address urban growth. Plan Change 12 proposes to introduce a number of provisions for the management of growth in Manukau.

**What are the triggers for projects to be referred to the Panel?**

- Is the project a multi-unit residential development (apartments, townhouses, etc.)?
- Is the project a mixed-use development?
- Is the project within any of the identified Grown Centres (ie, Manukau City Centre, Old Papatoetoe, Hunters Corner, Manurewa, Mangere Town Centre, Pakuranga or Flat Bush)?
- Is the project a major Council development (eg, community facilities, major transportation project, park development, etc.)?
- Are there activities that may have any adverse effects on Scheduled Buildings or Objects?
- Are there significant development modifications / infringements?

**Can applicants request that their proposal be referred to the panel?**

Yes.

**At what stage does a project get (1) referred to and (2) considered by the panel?**

Ideally encourage applications to go to the panel at an early design stage to enable constructive comments from the panel to be taken on board for resource consents applications.

**Does the panel cover the whole TA area, or just a specific part?**

Whole TA area.

**How often are panel meetings held?**

Monthly – however due to the economic slow down there has been a marked decline in applications going before the panel. There is an opportunity to call special meetings if required.

**If they are regular, how many applications are heard per session?**

Three

**Is a time limit set for each application to be discussed?**

Generally a one hour limit however if projects are significant and warrant additional time, this can be accommodated.

**Are there any specific requirements for information to be submitted to the panel? Quantity of documents, size/scale of plans etc? Does the applicant or the TA supply this?**

Six copies of plans to be received a week before the Panel session.

**At what stage in the application process is the panel used?**

Normally at a pre-applications stage. Resource consent applications have on occasion been considered by the Panel where they have previously not commented and where there are significant concerns from reporting officers.

**Are meetings open to the public?**

No.

**What is the composition of the panel? Quorum?**

Normally there are four members at a Panel meeting, with a quorum of three.

**How far in advance is information sent to panel members?**

One week.

**What is the outcome of the panel's involvement?**

Written report with recommendations

**How are the recommendations/advice given?**

Verbal comments are usually given at the Panel session and are followed up with a copy of minutes taken.

**What happens to this advice?**

It is sent to the applicant for consideration and a copy is sent to the Planner.

**What follow-up occurs after the panel meeting?**

Applicants are encouraged to return to the panel if there are substantial matters that need to be addressed.

**What administrative support does the panel receive?**

An Urban Design Panel Co-ordinator ensures that relevant documentation is distributed to the Panellists, minutes are taken and forwarded to the required parties.

**How is the panel funded?**

It is funded by Manukau City Council rates as a public good.

**Is there any review or monitoring of the panel's outcomes at a later date?**

Given the relatively short time that the panel has been operating with few projects considered by the panel actually built – no review of the panel's outcomes have been undertaken to date.

**If yes, how much later?**

Not applicable.

**What is the review process?**

Not applicable.

**What is the outcome of the review process?**

Not applicable.

**What is the public perception of the effectiveness of the panel?**

The Panel has a relatively low profile given the small number of applications that are considered.

**Have any management issues arisen through use of the panel?**

There is potential for the Panel advice to conflict with the planner's recommendation on resource consent matters. This is due to the fact that the Urban Design Panel is focussing on Urban Design matters rather than a full RMA assessment.

**Is it proposed to improve the efficiency or effectiveness of the panel in the future in any way? If yes, how?**

This may need to be undertaken by the new Auckland Council after 1 November 2010.

### **3 Waitakere City Council**

**What was the trigger for establishing the panel?**

**Was the panel formally established? If yes, how?**

The Urban Design Review Panel was established by a condition on a consent, volunteered by the applicant. The consent relates to the land formerly occupied by the Hobsonville air base. After disposal by the Air Force, the Hobsonville Land Company (a wholly-owned subsidiary of Housing New Zealand Corporation) was formed. There is a Comprehensive Development Plan for the land, which comprises some 167 hectares of land and ultimately envisages households plus schools, shops, waterfront, industry and roads. It includes bulk and location controls.

**When was the panel established?**

2009.

**Is the panel an in-house mechanism or made up of outside experts?**

**What is the makeup of members? (Background/experience rather than names)**

**How are members recruited?**

Three members. One Council-appointed external urban designer, One applicant-appointed external urban designer, One representative from the Hobsonville Land Company.

**What training do panel members receive?**

Reliance is placed on panel members' professional expertise.

**Does the panel have Terms of Reference?**

Yes, these were produced by the applicant and approved by the council's urban design team.

**Are there any policies, controls or rules in relation to urban design assessment in the district plan? (Include design guides, UD-related rules or reference to panel assessment.)**

The land in question has a comprehensive development plan that includes urban design requirements.

**What are the triggers for projects to be referred to the Panel?**

Land use and subdivision consents inside the CDP area, anything that falls outside the rules.

**At what stage in the application process does a project get (1) referred to and (2) considered by the panel?**

The panel operates at pre-application stage.

**Does the panel cover the whole TA area, or just a specific part?**

**If a specific part, why was there a need to focus on this particular area?**

The panel only covers the land held by the Hobsonville Land Company. It is a specific parcel of land with a Comprehensive Development Plan.

**How often are panel meetings held?**

**If they are regular, how many applications are heard per session?**

When required. This is co-ordinated by the developer.

**Are there any specific requirements for information to be submitted to the panel?  
Quantity of documents, size/scale of plans etc? Does the applicant or the TA supply this?**

No specific requirements.

**Are meetings open to the public?**

No, they are confidential.

**What is the outcome of the panel's involvement?  
How are the recommendations/advice given?**

A written report is produced.

**What administrative support does the panel receive?**

This is supplied by the developer.

**How is the panel funded?**

Costs lie where they fall. For example, the cost of the developer-appointed urban designer is picked up by the developer.

**Is there any review or monitoring of the panel's outcomes at a later date?  
Have you had any feedback about public perception of the effectiveness of the panel?  
Have any management issues arisen through use of the panel?  
Is it proposed to improve the efficiency or effectiveness of the panel in the future in any way? If yes, how?**

The panel has not been operating very long, it is considered 'early days' for review and monitoring. The panel seems to be effective, fostering collaboration between Council and the Hobsonville Land Company. The small number of panel members seems to be useful in ensuring consistency of advice.

## 4 Hamilton City Council

### **What was the trigger for establishing the panel?**

A desire by HCC to take a stronger and more visionary role in guiding the future of the city's built environment. Ultimately, to deliver a city that better reflected the aspirations of HCC and the community.

### **What investigation was undertaken before the panel was established?**

Discussions held internally and externally. Review of lessons learned from other similar panels.

### **Was the panel formally established? If yes, how?**

Council decision.

### **When was the panel established?**

Late 2007.

### **Is the panel an in-house mechanism or made up of outside experts?**

HCC mechanism, but members are outside experts.

### **What is the makeup of members? (Background/experience rather than names)**

Urban Design  
Architecture  
Landscape Architecture  
Development and Property  
Engineering  
Community and Heritage aspects

### **How are members recruited?**

Nominations from professional institutes – decision by Council.

### **What training do panel members receive?**

Initial training on process and background.

### **How long do panel members remain on the panel?**

Two year term, option to renew.

### **Are panel members paid?**

Yes.

### **Does the panel have Terms of Reference?**

Yes. *(Not publicly available.)*

### **Are there any policies, controls or rules in relation to urban design assessment in the district plan? (Include design guides, UD-related rules or reference to panel assessment.)**

Design Guides widely used.

## What are the triggers for projects to be referred to the Panel?

Area	Criteria/project type
CBD – City Centre Zone in proposed District Plan	Significant building and capital projects
Community/commercial focal points in structure plan areas	Public buildings, commercial, community and multi-unit residential projects
Strategic gateways to city	Significant buildings in defined areas
Defined character and heritage precincts	New buildings and alterations to heritage buildings and structures visible from the public domain
Subdivisions	Significant new subdivisions – close to key points of interest, impacting ecological features or large suburban developments (generally >50 units)
Council capital projects	Design brief, design proposals and preliminary concepts for public buildings, spaces and streetscape
Other public projects	Major public works by government departments e.g. schools, health, transport

## Can applicants request that their proposal be referred to the panel?

Yes.

## At what stage in the application process does a project get (1) referred to and (2) considered by the panel?

Before consent is submitted.

## Does the panel cover the whole TA area, or just a specific part?

Entire area.

## How often are panel meetings held?

As and when necessary.

## If they are regular, how many applications are heard per session?

The number varies.

## Is a time limit set for each application to be discussed?

No.

## Are there any specific requirements for information to be submitted to the panel? Does the applicant or the TA supply this?

Yes – HCC provides guidance and information on this.

## Are meetings open to the public?

No.

## Is the applicant present?

Yes.

## What is the composition of the panel? Quorum?

Minimum of four members.



**How far in advance is information sent to panel members?**

1–2 weeks.

**What is the outcome of the panel's involvement?**

Recommendations letter.

**How are the recommendations/advice given?**

Letter posted out.

**What happens to this advice?**

Follow-up meeting with applicant.

**What follow-up occurs after the panel meeting?**

Dependent on the recommendations.

**What administrative support does the panel receive?**

Council officials – various aspects.

**How is the panel funded?**

Annual budget (Council).

**Is there any review or monitoring of the panel's outcomes at a later date?**

Yes.

**If yes, what is the review process?**

Ongoing, managerial review.

**Have you had any feedback about public perception of the effectiveness of the panel?**

Yes. (*Note: no further information was given about this aspect.*)

**Have any management issues arisen through use of the panel?**

No.

**Is it proposed to improve the efficiency or effectiveness of the panel in the future in any way? If yes, how?**

No, panel functioning effectively at present.

## 5 Hastings City Council

**What was the trigger for establishing the panel?**

**What investigation was undertaken before the panel was established?**

**Was the panel formally established? If yes, how?**

**What is the panel's 'mission' or mandate?**

The panel was established following a suggestion made to the Landmarks Committee. This committee was responsible for 'landmark areas' (which included both built and natural areas) and wanted some protection for them, along with objective assessment of development proposals for these areas. Quality urban design outcomes were sought. A panel was proposed, and was approved by committee.

**When was the panel established?**

April 2003.

**Is the panel an in-house mechanism or made up of outside experts?**

Outside experts. However, the panel functions more in the manner of an 'internal design review panel'.

**What is the makeup of members? (Background/experience rather than names)**

Mostly architects.

**How are members recruited?**

By 'shoulder tapping'.

**What training do panel members receive?**

No specific additional training is given, reliance is placed on the professional expertise and experience of panel members.

**How long do panel members remain on the panel?**

**Are panel members paid?**

**Does the panel have Terms of Reference?**

The panel members do not have contracts, and are not paid.

**Are there any policies, controls or rules in relation to urban design assessment in the district plan? (Include design guides, UD-related rules or reference to panel assessment.)**

Two parts of the District Plan contain UD requirements – the Commercial Zones (for large format retail) and the Central Character Precinct. The District Plan identifies use of the panel for UD assessment under the methodology for these zones.

**What are the triggers for projects to be referred to the Panel?**

**Does the panel cover the whole TA area, or just a specific part?**

Any applications inside the Commercial Zones or Central Character precinct, although the panel is able to consider city-wide projects if required

**At what stage does a project get (1) referred to and (2) considered by the panel?**

Early on, preferably at the pre-application stage.

**How often are panel meetings held?**

Not regularly – as and when required, when applications are received. Probably anywhere between 2 and 5 meetings per year.

**Is a time limit set for each application to be discussed?**

Not relevant.

**Are there any specific requirements for information to be submitted to the panel? Quantity of documents, size/scale of plans etc? Does the applicant or the TA supply this?**

No specific requirements. The authority already holds all information electronically. The applicant may be asked to prepare a Google Sketchup representation.

**Are meetings open to the public?**

Meetings are confidential and the applicant is not present.

**What is the composition of the panel? Quorum?**

There are five people available to sit on the panel – three usually sit. As few as one can be used.

**What is the outcome of the panel's involvement?**

**How are the recommendations/advice given?**

**What happens to this advice?**

**What follow-up occurs after the panel meeting?**

Written notes are produced. There may be modifications to the Sketchup plan. The panel has in the past done some indicative design work. After the meeting the planner goes back to talk to the applicant at a follow-up meeting.

**What administrative support does the panel receive?**

Full admin support – a PA for minutes/notes.

**How is the panel funded?**

Fully Council funded. (Note: panel members are not paid so costs to Council are not great.)

**Is there any review or monitoring of the panel's outcomes at a later date?**

No formal review/monitoring.

**What is the public perception of the effectiveness of the panel?**

Developers have told architects they support the panel. The council uses 'good examples' in the public forum.

**Have any management issues arisen through use of the panel?**

- Consistency is ensured by using a small pool of the same people.
- Management difficulties can arise.
- Main issues to arise relate to conflicts of interest (small town scenario).

## **6 Nelson City Council / Tasman District Council**

**What was the trigger for establishing the panel?**

**What investigation was undertaken before the panel was established?**

**Was the panel formally established? If yes, how?**

There was concern about poor development / urban design outcomes in the district, with particular reference to supermarkets.

**When was the panel established?**

December 2009.

**Is the panel an in-house mechanism or made up of outside experts?**

Outside experts.

**What is the makeup of members?**

Panel members will be selected from the following criteria:

- a. A good understanding of urban design principles and best practice; and
- b. Recognised qualifications, experience and standing in their relevant professions; and
- c. Previous experience in sitting on urban design panels; and
- d. A general understanding of the Councils' strategies and policies and the relevant Resource Management Plan; and
- e. An understanding of the interrelationship of arts, heritage and cultural values with urban design; and
- f. A general understanding of the Resource Management Act.

At the moment the pool contains eleven members. Two members of the panel pool are required to come from outside the Nelson region.

**How are members recruited?**

Expressions of interest from relevant professional institutes and from the wider community. Members are approved by Council.

**What training do panel members receive?**

Reliance is placed on professional expertise. There was a session at the start that covered expectations and orientation.

**How long do panel members remain on the panel?**

Appointed for an initial period of 12 months, after which their membership is reviewed.

**Are panel members paid?**

Yes. \$150/hour with a maximum of 5 hours per meeting. Travel expenses paid for those from outside the Nelson region.

**Does the panel have Terms of Reference?**

Yes. Will be reviewed after twelve months.

**Are there any policies, controls or rules in relation to urban design assessment in the district plan? (Include design guides, UD-related rules or reference to panel assessment.)**

There are limited non-statutory design guides, objectives and policies related to subdivision and the protection of iconic/natural landscapes. Not all town centres are covered. Main relevant objectives for each of the districts are outlined in Appendices C and D of Terms of Reference.

**What are the triggers for projects to be referred to the Panel?**

- Developers are encouraged to come to the Council to see whether a project should be considered.
- Any capital project that has significant urban design considerations.
- Panel services offered to institutions and government departments, developers of comprehensive and compact residential developments, developers of buildings in the commercial, mixed business, tourist services or central business zones and in township gateway areas.
- Attendance is voluntary.
- Triggers will be reviewed after the trial period.

**Can applicants request that their proposal be referred to the panel?**

Yes.

**At what stage in the application process does a project get (1) referred to and (2) considered by the panel?**

Preferably at pre-application stage, but this is not mandatory.

**Does the panel cover the whole TA area, or just a specific part?**

**If a specific part, why was there a need to focus on this particular area?**

Covers Nelson City area and Tasman District areas. Was seen as efficient to cover both areas with one panel due to volume of consents and issues to be considered.

**How often are panel meetings held?**

As and when required. There have been three since December 2009.

**If they are regular, how many applications are heard per session?**

At this stage, 1-2 per meeting.

**Are there any specific requirements for information to be submitted to the panel?**

**Quantity of documents, size/scale of plans etc? Does the applicant or the TA supply this?**

Checklist, available online.

**Are meetings open to the public?**

No – they are confidential.

**What is the composition of the panel? Quorum?**

Ideally four, with a quorum of three.

**What is the outcome of the panel's involvement?**

**How are the recommendations/advice given?**

**What happens to this advice?**

Recommendations are drafted at the meeting – a consensus is required. Written recommendations are done by a Council officer (a template is used), sent to the applicant within five days of the hearing. Recommendations are treated as confidential unless the developer agrees otherwise. Report also circulated to all panel members.

**What follow-up occurs after the panel meeting?**

A monitoring form is sent to applicants with the Panel's report.

**What administrative support does the panel receive?**

A hearings' advisor. There is also a planner present/available. Agendas and administration are the responsibility of the Council hosting the meeting.

**How is the panel funded?**

Council-funded. This will be reviewed after a year.

**Have you had any feedback about public perception of the effectiveness of the panel?**

Too early in the operation of the panel to have public feedback.

**Have any management issues arisen through use of the panel?**

- Consistency of advice
- Conflicts of interest
- Timeframes for assembling the panel – difficult when members coming from long distance
- Mismatch between District Plan criteria and recommendations of panel
- Problems with Council officers in terms of interpretation of the panel's advice (particularly the weight given to urban design issues) when the report is drafted.

**Is there any review or monitoring of the panel's outcomes at a later date?**

**Is it proposed to improve the efficiency or effectiveness of the panel in the future in any way? If yes, how?**

Review to take place after one year.

## 7 Christchurch City Council

### **What was the trigger for establishing the panel?**

The recognition that the use of panels internationally has demonstrated that they are a valuable tool to promote the development of a high quality urban environment.

### **What investigation was undertaken before the panel was established?**

Discussed at a seminar in August 2006.

### **Was the panel formally established? If yes, how?**

By a Council resolution on 4 October 2007 for a three year trial period.

### **When was the panel established?**

2008 – has been running 2.5 years in May 2010.

### **Is the panel an in-house mechanism or made up of outside experts?**

Outside experts, with council officer support.

### **What is the makeup of members?**

Urban design, architecture, landscape architecture, development and property.

### **How are members recruited?**

Drawn from nominations from professional institutes. Skilled individuals from outside institutions may also be appointed. Each panel to have one expert in each of UD, architecture and development. Other experts (eg, landscape architecture, heritage, iwi issues, ecology or the arts) may be co-opted to sit on the panel as required.

### **What training do panel members receive?**

There was a day-long training session at the outset of the trial. Additional training provided as/when required, particularly in response to specific issues.

### **How long do panel members remain on the panel?**

3 years.

### **Are panel members paid?**

Yes.

### **Does the panel have Terms of Reference?**

Yes, available on the website.

### **Are there any policies, controls or rules in relation to urban design assessment in the district plan?**

Urban design plan changes and design guidelines. The role of UD is also recognised in central city revitalization and other capital projects.

### **What are the triggers for projects to be referred to the Panel?**

Proposals requiring resource consents that are located within the four Avenues (all zones) or any land zoned L3 or Business 2 (suburban malls). Within these criteria, further triggers are:

- Multi unit residential of 5 units or more
- Multi unit commercial of 3 units or more
- Any building of gross floor area (GFA) 1500m<sup>2</sup> or greater
- Any building adjoining a site containing any items on the 'List of Protected Buildings, Places and Objects'
- Any building adjoining any Conservation or Open Space Zone.

Any CCC capital project with a value of \$5m or greater, which is intended for public use or to which the public have regular access.

Any of the following, in any zone:

- Hospitals
- Retirement villages
- Elderly persons housing, where a multi unit development of 5 units or more is proposed.

### **Can applicants request that their proposal be referred to the panel?**

Yes. Applications for the panel should be submitted two weeks before the meeting.

### **At what stage in the application process does a project get (1) referred to and (2) considered by the panel?**

Prefer involvement at pre-application stage, but the panel also carries out post-application review.

### **Does the panel cover the whole TA area, or just a specific part?**

#### **If a specific part, why was there a need to focus on this particular area?**

Specific to zones and types of activity, as well as to certain areas of the City.

### **How often are panel meetings held?**

Two weekly. Urgent or special meetings of the panel can be called with three working days notice.

### **If they are regular, how many applications are heard per session?**

Usually one, sometimes two.

### **Is a time limit set for each application to be discussed?**

Minimum of one hour per applicant.

### **Are meetings open to the public?**

No

### **Is the applicant present?**

Yes.



**What is the composition of the panel? Quorum?**

Pool of up to 18 panellists. Ideally four, quorum of three. Core Panel to ensure consistency of recommendations.

**How far in advance is information sent to panel members?**

One week before the meeting.

**What is the outcome of the panel's involvement?**

**How are the recommendations/advice given?**

Decisions made by consensus. Written report, with recommendations composed in committee. There is no limit to the number of times a proposal can be resubmitted.

**What happens to this advice?**

Panel recommendations are usually incorporated into planner's report. Panel's recommendations circulated to applicant and reporting planner within a week of the meeting.

**What administrative support does the panel receive?**

Council officers providing secretariat support, advice on regulatory matters and communication channels. Minutes of the meeting prepared, and reviewed by Panel convenor.

**How is the panel funded?**

Fully Council funded for the trial period.

**Is there any review or monitoring of the panel's outcomes at a later date? If yes, what is the review process?**

Trial will be reviewed in 2010.

**Have you had any feedback about public perception of the effectiveness of the panel?**

- Positive – applicants like the panel because it turns the discussion from 2-way (council-applicant) into three-way, with the benefit of the third party being a panel of independent experts.
- Supported by the relevant professional bodies.
- Consistency is important, particularly if applicants are returning a proposal to the panel.

**Have any issues arisen through use of the panel?**

Sometimes the Panel strays towards telling an applicant what they think they should do, or tries to redesign a project.

**Is it proposed to improve the efficiency or effectiveness of the panel in the future in any way? If yes, how?**

Review will occur in 2010.

## **8 Akaroa Design and Appearance Advisory Committee**

**What was the trigger for establishing the panel?**

**What investigation was undertaken before the panel was established?**

**Was the panel formally established? If yes, how?**

This a long-running community based panel that operates in the area formerly covered by the Banks Peninsula District Council and is now administered by the Christchurch City Council.

Akaroa's Civic Trust was formed in 1970, as a 'daughter' to the Christchurch Civic Trust. The Civic Trust was instrumental in the Akaroa Plan having Design and Appearance controls, operative some time around 1976-78. The Design and Appearance Committee was written into the plan.

**When was the panel established?**

1978.

**Is the panel an in-house mechanism or made up of outside experts?**

**What is the makeup of members? (Background/experience rather than names)**

A member of the Community Board, a Council-appointed consultant (architect), a Civic Trust representative, a consultant appointed by the Civic Trust, a 2nd architect (in reserve), with the Chair of the Community Board (ex officio). The composition of the panel has always been a mix of experts and lay people. Council planners are present to advise the panel, and the Historic Places Trust often have a representative present at meetings for technical advice.

**How are members recruited?**

Selected by CCC. Shoulder-tapping.

**What training do panel members receive?**

Training half-day seminar recently held. It included briefing on planning framework, discussion of issues that have occurred in the past, and looked at examples.

**How long do panel members remain on the panel?**

Three years.

**Are panel members paid?**

Yes, \$150/meeting plus travel.

**Does the panel have Terms of Reference?**

Yes. Publicly available.

**Are there any policies, controls or rules in relation to urban design assessment in the district plan? (Include design guides, UD-related rules or reference to panel assessment.)**

Design and appearance controls for specific areas.

**What are the triggers for projects to be referred to the Panel?**

Resource consent for any exterior building work (existing building) or any new building within the areas of Akaroa that are subject to control.

**Can applicants request that their proposal be referred to the panel?**

Yes, in theory.

**At what stage in the application process does a project get (1) referred to and (2) considered by the panel?**

Highly preferable to appear at pre-application stage.

**Does the panel cover the whole TA area, or just a specific part?  
If a specific part, why was there a need to focus on this particular area?**

Proposed plan has controls only over older part of town, the foreshore and some of the valley flats. Now there are improved Design and Appearance guidelines in the plan, and strengthened objectives and policies.

**How often are panel meetings held?**

As and when required – maybe six per year. The panel can operate on the Council’s monthly committee meeting cycle, maybe one per two months is held to discuss Design and Appearance.

**Are there any specific requirements for information to be submitted to the panel?  
Quantity of documents, size/scale of plans etc?**

No. Just the type of information that would be submitted for a resource consent.

**Are meetings open to the public?**

Yes, and proceedings are subject to Local Government Official Information and Meetings Act since the panel is a Council committee.

**Is the applicant present?**

Yes.

**What is the outcome of the panel’s involvement?  
How are the recommendations/advice given?**

A written letter to the applicant saying whether the panel supports the project or not. Advisory only, no statutory weight. There is no limit to the number of times an applicant can return to the panel for advice.

**What administrative support does the panel receive?**

A secretary and community board advisor.

**How is the panel funded?**

Free service to applicant. Fully Council funded. (In addition, no fees are charged by the Council for resource consents relating to Design and Appearance only.)

**Is there any review or monitoring of the panel’s outcomes at a later date?  
If yes, what is the review process?**

Review is currently underway – a meeting to discuss the panel will be held in June 2010. A particular focus will be the issue of the panel’s meeting being fully public. The review will involve future of panel, composition etc.

**Have you had any feedback about public perception of the effectiveness of the panel?**

Akaroa has two ‘faces’ – underneath it is a conservative rural service town, but it is a tourist town on surface. There is a mix of people. There has been tension between those who see urban design issues as ‘extras’ and those who advocate for heritage and character values.

There is a strong private property rights lobby, especially in the rural community. This sometimes clashes with the advisory committee, but understanding is changing, particularly following a recent waterfront redevelopment that introduced generic design elements and met with public comment about the importance of preserving Akaroa’s special character.

**Have any management issues arisen through use of the panel?**

**Is it proposed to improve the efficiency or effectiveness of the panel in the future in any way? If yes, how?**

- The Panel’s Design and Appearance advice was initially given through the Building Consent process, from the point of what was a feasible building solution, as well as design. This legacy has haunted committee somewhat. Now this has changed and the advice is given for Resource Consents but it has taken some time to re-educate the committee.
- The public nature of meetings raises problems with confidentiality of projects and proceedings. Also, ideally the panel would like to deliberate in a free and frank fashion, but this is often not possible. It would be undesirable for the applicant to see divisions or disagreement within the panel.
- Other issues to be discussed during the review are: the debate about urban design is becoming more technical, the pool of panellists is very small (which is preferred for continuity reasons) but seasoned advice is required based on experience of Akaroa and its special characteristics. Architects come from Christchurch, there is a need for them to keep up to date with Akaroa issues.

## 9 Queenstown-Lakes District Council

Two panels are operated: Queenstown and Wanaka.

### **What was the trigger for establishing the panel?**

Initially set up to provide UD advice on council capital and policy projects but the role was extended in 2005 to include review of private development proposals.

### **Was the panel formally established? If yes, how?**

By a report to Council.

### **When was the panel established?**

2004, with expansion of its function in 2005.

### **Is the panel an in-house mechanism or made up of outside experts?**

Outside experts.

### **What is the makeup of members? (Background/experience rather than names)**

Both panels have a pool of experts available, from the following backgrounds:

- Urban Design
- Architecture
- Landscape Architect
- Planner
- Property Development
- Crime prevention through environmental design (CPTED).

At May 2010 the Queenstown pool comprised 18 members and the Wanaka pool had 12 members. There is only one member who is common to both panels, all others are specific to each area.

A designated Council Officer is in attendance. At least 2 community representatives are also appointed as part of the pool for each panel. Additional heritage expertise can be added if required.

If the meeting occurs post-lodgement, a council planner attends. At pre-application stage, the designated Council Office may invite a council planner to attend, for giving advice only. Councillors and/or Community Board members can attend, ex officio.

### **How are members recruited?**

Nominations and expressions of interest from the general public (through local media) and from relevant professional institutes and bodies. Direct invitation to suitably qualified professionals also used. Criteria for selection are on the website.

Transparent application process involving Councillors. Formal selection criteria have been drafted. A Chair for each panel is selected by the CEO.

**What training do panel members receive?**

Reliance is placed on panel members' professional expertise.

**How long do panel members remain on the panel?**

Two-yearly review of panel members. Panel members can express interest in being removed from the pool, or continuing.

**Are panel members paid?**

Yes, a set rate per meeting plus additional for long meetings, plus expenses.

**Does the panel have Terms of Reference?**

Yes. Last updated in 2008. Panel members must also sign a Code of Conduct.

**What are the triggers for projects to be referred to the Panel?**

Projects that:

- Have the potential to significantly impact on the quality of urban design in the area
- Are in the town centre zone with frontage onto a street, lane or other public place
- Include three or more residential units
- Are Council capital projects
- Are either a Council or privately initiated plan change
- Are consents which have the recommendation of the processing planner for review by the Panel.

**Can applicants request that their proposal be referred to the panel?**

Yes.

**At what stage in the application process does a project get (1) referred to and (2) considered by the panel?**

Early in the concept stage is preferred, but the panel also gives advice at pre-application stage.

**Does the panel cover the whole TA area, or just a specific part?**

Two panels each cover a specific ward.

**How often are panel meetings held?**

Approximately fortnightly, for each panel.

**If they are regular, how many applications are heard per session?**

No more than two per session.

**Is a time limit set for each application to be discussed?**

Not strictly enforced, but it is expected that each application will take 2-2½ hours. For large/complex Council initiated projects or when evaluating proposed plan changes, the format can be expanded into a workshop.

**Are there any specific requirements for information to be submitted to the panel?**

**Quantity of documents, size/scale of plans etc? Does the applicant or the TA supply this?**

Yes. Outlined on QLDC website, very specific. Must be provided to the council six working days in advance of the panel meeting. Panel procedures are on the website.

**Are meetings open to the public?**

No.

**Is the applicant present?**

They are expected to attend. The project designer(s) are advised to attend. Deliberations are held after they leave.

**What is the composition of the panel? Quorum?**

Quorum of 4. If only 3 can be obtained, the applicant is given the discretion to decide whether to proceed.

**How far in advance is information sent to panel members?**

Agenda circulated 4–5 days in advance, with A3 plans where possible.

**What is the outcome of the panel's involvement?**

**How are the recommendations/advice given?**

Deliberations on private projects are held after the applicant leaves. Deliberations on public projects may be held with the council representative and/or planner present.

Recommendations are agreed during the deliberation period. A report is prepared by the designated Council officer, or the Chair, and the draft report circulated to panel members for approval. Final report is then sent out.

Recommendations are either 'support' or 'non-support'. For non-support response, the panel may offer suggestions for improvement to the design. The proposal can be re-submitted if this option is taken up. Consistency of panel members is aimed for in the latter situation.

There is a standard report template, and reports should be issued within 5 working days.

**What happens to this advice?**

The advice is a recommendation. It can be taken into account in RMA statutory processes.

**What administrative support does the panel receive?**

A council administration officer.

**How is the panel funded?**

If a private applicant submits at concept stage, council covers the cost. If a design has proceeded to an advanced stage or an application has been lodged, there is a fixed fee of \$500. Other costs covered by council.

**Is there any review or monitoring of the panel's outcomes at a later date?  
If yes, what is the review process?**

- A standard survey form is distributed to all applicants with the recommendations.
- Ongoing monitoring of the panel's recommendations against final designs is undertaken, so that the panel's ability and extent of influence can be determined.
- Key urban design issues for the district are identified through the panel process. Links are made through to monitoring the district plan in terms of urban design outcomes.

**Have you had any feedback about public perception of the effectiveness of the panel?**

In general, the panel is operating well and is effective.

**Have any management issues arisen through use of the panel?**

There are limited people available with relevant urban design qualifications and experience.

**Is it proposed to improve the efficiency or effectiveness of the panel in the future in any way? If yes, how?**

The panel has recently undergone review.



## Appendix 2: Summary of responses from local authorities not operating an external urban design assessment panel

Local authority	NZ Urban Design Protocol signatory?	Does the district plan (DP) contain urban design (UD) objectives, policies or rules?	Who does any urban design (UD) assessment?	Has a panel ever been considered?	Reasons for not establishing a panel	Other comments
<b>Ashburton District Council</b>	No	No, but DP under review and UD will be included in new plan	External consultants	No		
<b>Carterton District Council</b>	Yes		External consultants			
<b>Clutha District Council</b>	No	Some, mainly relating to subdivision	Planning consultant, council roading and infrastructure staff	No		Expert input would be sought if there were major UD issues
<b>Dunedin City Council</b>	Yes	No. Heritage and townscape included, but only related to amenity. Strong desire to include more UD objectives and policies	Council Urban Designer	Yes – one will probably be set up in the next financial year. Included in Protocol Action Plan.	Few urban design staff, other matters with higher priority than setting up panel. Has been more cost-effective to use in-house advice so far.	
<b>Far North District Council</b>	No	No		No		
<b>Franklin District Council</b>	Yes	Not in operative DP, but UD included in recent plan changes. Also Urban Residential Design Guide which is not part of DP.		No	Lack of relevant/supporting objectives and policies	
<b>Gisborne District Council</b>	No	Inner Commercial guidelines, dated. No specific UD policies, but there are general character and amenity policies	Principal Planner – Urban Design	No, but UD Action Plan signals one		
<b>Grey District Council</b>	No	No, but DP under review and UD will be included in new plan	No specific assessment done	Yes	Idea not progressed due to DP not accommodating this type of assessment	

Local authority	NZ Urban Design Protocol signatory?	Does the district plan (DP) contain urban design (UD) objectives, policies or rules?	Who does any urban design (UD) assessment?	Has a panel ever been considered?	Reasons for not establishing a panel	Other comments
<b>Hauraki District Council</b>	No	No, but DP under review and UD will be included in new plan	Consents Engineer and Planning staff	No	Small district, generally low level development	Council has design guidelines for subdivision elements that will vest in Council eg, street trees, furniture, paving etc
<b>Horowhenua District Council</b>	No	Very little, mostly high level	Planning officers	Not formally	No real need. Resources, expertise, timeframes and absence of UD focus in DP	Operation of a developer-led panel for buildings in new subdivisions
<b>Hurunui District Council</b>	No	Design and appearance standards in Hanmer only, with objectives and policies	Planning officers, consultant advice if required	No	Current approach has been successful in achieving desired design outcomes	
<b>Hutt City Council</b>	Yes	Design Guides in two parts of the city – CBD and Petone	External consultants	Yes	Resistance based on perceived administrative burden and cost	
<b>Kaikoura District Council</b>	Yes	Not specifically. Some guidelines have a link to design	Planning staff, consultants if required	Yes	Resources. Existing system thought to work well	
<b>Kapiti Coast District Council</b>	Yes	A few	Council landscape advisor and Urban Planner	Not formally	No local expertise, most applications not complicated.	Consultant UD advice used for projects that have raised concern
<b>Manawatu District Council</b>	No	Limited, with design guidelines for Feilding CBD	Consultants	No	Pastoral farming focus in district	Questions about UD will be included in issues paper for upcoming review of DP
<b>Masterton District Council</b>	Yes	Yes, but also reliance on bulk and location rules for UD outcomes	Planning Liaison Group	No		
<b>Matamata-Piako District Council</b>	Yes	Some, mainly relating to subdivision	Consultant peer review where required	No	Small district, generally low level development	

Local authority	NZ Urban Design Protocol signatory?	Does the district plan (DP) contain urban design (UD) objectives, policies or rules?	Who does any urban design (UD) assessment?	Has a panel ever been considered?	Reasons for not establishing a panel	Other comments
<b>North Shore City Council</b>	Yes	Yes	Planning staff	Yes	Breadth and depth of interest attracted was not sufficient. Lack of specific UD skills available. Lack of funding available	Combined staff/consultant panel for major council-led projects to advise the project design team. Funded through the project
<b>Papakura District Council</b>	Yes	Commercial and some residential zones	Consultant review where required	No	Small TA, no real need. No support in DP, cost and timeframe issues	
<b>Porirua City Council</b>	Yes	No. First generation plan	In-house clinic once a week, gives quick responses, pulls together different areas across Council	No	Difficulty in getting qualified UD advice. Things working OK at present	Use of external UD consultants if required
<b>Rangitikei District Council</b>	No	No		No	Rural district with decreasing population – no call for it	
<b>Rodney District Council</b>	Yes	Yes	Planning staff, consultants if required	Unsure	Small council, cost an issue	
<b>South Taranaki District Council</b>	No	No		No	District does not have a significant amount of urban development	
<b>South Waikato District Council</b>	No	Not many at general level. Four main towns have Concept Plans that include UD initiatives. UD will be included in upcoming review of DP	Planning staff	No		Specialised heritage advice also sought when required
<b>South Wairarapa District Council</b>	No	Not stated	Unknown	No	Little undeveloped urban land. Concept plans may be used for specific areas	

Local authority	NZ Urban Design Protocol signatory?	Does the district plan (DP) contain urban design (UD) objectives, policies or rules?	Who does any urban design (UD) assessment?	Has a panel ever been considered?	Reasons for not establishing a panel	Other comments
<b>Stratford District Council</b>	No	No – conscious decision due to low development pressure and desire to not over-regulate	Planning staff	No	In-house assessment can be done at no extra cost to ratepayers. Amenity requirements producing good outcomes	Consultants sometimes used for projects with UD aspects. Reserve Management Plans for amenity on public land
<b>Tararua District Council</b>	No	No		No	Area of low growth, focus tends to be on landscape, protected natural areas etc	
<b>Tauranga City Council</b>	Yes	Not directly – phrased more as amenity control  First generation plan	Whoever is relevant. Depends on what aspect of 'urban design' is being considered	Yes	Idea was politically unpopular	Plan review underway, at hearings stage. New plan will have more UD than operative plan, but still mostly phrased as amenity, due to lack of political interest in supporting 'urban design'
<b>Thames-Coromandel District Council</b>	No			Yes	Benefits unclear for small mainly rural local authority	
<b>Timaru District Council</b>	Yes	Various, throughout Plan	Planning staff	No	Nature of development does not warrant it	
<b>Upper Hutt City Council</b>	Yes	Proposed Plan Change 18 for comprehensive residential development includes a DG	Would commission external advice	Not formally	Lack of relevant objectives and policies, limited volume of development requiring UD input	
<b>Waikato District Council</b>	No	Very little	Consultants, on a case-by-case basis	No		
<b>Waimate District Council</b>	No	No	Planning staff	No	Small council with large rural area. Low level of development, UD not identified as a priority	

Local authority	NZ Urban Design Protocol signatory?	Does the district plan (DP) contain urban design (UD) objectives, policies or rules?	Who does any urban design (UD) assessment?	Has a panel ever been considered?	Reasons for not establishing a panel	Other comments
<b>Waipa District Council</b>	Yes	No, but DP under review and UD will be included in new plan		No		
<b>Waitaki District Council</b>	No	Not UD, but have heritage guidelines. Amenity is considered in general objectives and policies	Planning staff	No		
<b>Wellington City Council</b>	Yes	Yes, also statutory Design Guides	Urban Designers on staff, consultants if required	Yes	In-house assessment capability good, issues with assessment could be addressed by process improvements	
<b>Whakatane District Council</b>	No	Design standards for Central Area. Plan under review, better UD principles to be considered	Planning officers, consultant advice if required	No	Not big enough to warrant it, limited direction in DP, cost	

## Non-responses

The following local authorities (5 or 7%) indicated that they did not have an urban design panel, or similar (Stage 1 questions) but did not respond to any further (Stage 2) questions:

- Gore District Council
- New Plymouth District Council
- Waimakariri District Council
- Wairoa District Council
- Waitomo District Council.

The following local authorities (20 or 28%) did not respond to any of the survey questions (Stage 1 or Stage 2). A website search did not reveal any evidence of use of an urban design assessment panel:

- Buller District Council
- Central Hawkes Bay District Council
- Central Otago District Council
- Chatham Islands Council
- Invercargill City Council
- Kaipara District Council
- Kawerau District Council
- Mackenzie District Council
- Marlborough District Council
- Napier City Council
- Opotiki District Council
- Otorohanga District Council
- Palmerston North City Council
- Ruapehu District Council
- Selwyn District Council
- Southland District Council
- Taupo District Council
- Wanganui District Council
- Westland District Council
- Whangarei District Council.